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ABSTRACT

Concerned with developing a master plan for interlinking recreational trails throughout Cook County, Illinois, this document consists primarily of proceedings of a conference on trails in an urban setting. Presentations are Urban Trails: A Tremendous Recreation Opportunity; Legal Considerations; Development; Utilities; Planning; Getting Started; State and Federal Aid; Bicycling; Horseback Riding; Canoeing; Hiking and Jogging; and Year Round Programming. State contacts for planning and financial assistance, state contacts for technical assistance and information (both for Illinois and surrounding states), Department of Housing and Urban Development contacts for program information, and 7 appendixes are included. (MJB)

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## Urban Trails: A Tremendous Recreational Opportunity

Proceedings:  
Trails in an Urban Setting  
Saturday, March 21, 1970  
Chicago Circle Campus  
University of Illinois

Sponsors:  
The Open Lands  
Project  
Council of Governments  
of Cook County

TRAILS IN AN URBAN SETTING

Held at Chicago Circle Campus  
University of Illinois  
Saturday, March 21, 1970

Sponsors:

The Open Lands Project

Council of Governments of  
Cook County

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## INTRODUCTION

The Council of Governments of Cook County extends a warm welcome to you, for by your presence you have indicated an interest in the development of recreation trails here in the Chicago metropolitan area. The Regional Planning and Recreation Committee of the Council of Governments of Cook County, together with the Open Lands Project, has been working for several months on the development of a master plan with interlinking trails that would allow a family to have a trail starting right in their own neighborhood, which neighborhood trail would connect to a major trail where in addition to bicycling and hiking, the trail enthusiast could experience canoeing, horseback riding and other varied recreational activities.

An interesting article appeared in a recent Reader's Digest entitled, "Let's Use Our Rights-Of-Way"; the article contained the following warning:

"Too often, the advocates of trails and linear parks along rights-of-way come up against officials who recognize only one kind of park - the squared-off kind that comes in chunks; and one kind of recreation - the supervised kind known as 'organized sweating.' Such officials refused to acknowledge that there has been a change in U. S. recreation trends, reflected in the phenomenal growth of hiking, biking and horseback riding . . . "

The Council of Governments of Cook County is composed of government "officials" and we feel that through sponsoring conferences such as this we will not be labeled as negative thinkers. The Council has successfully sponsored conferences dealing with such varied subjects as Air and Water Pollution Control, Career Opportunities For Youth and Dutch Elm Diseases.

We hope that today's conference will lead to the preparation and filing of an application for a federal grant to prepare a master plan for interlinking trails in the Chicago metropolitan area, and that this will be followed closely with an adoption and implementation of the plan by our local committee.

ROGER BJORVIK  
VICE CHAIRMAN  
COUNCIL OF GOVERNMENTS OF  
COOK COUNTY

# OPEN LANDS PROJECT



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## INTRODUCTION

During the seven years of its operation, the Open Lands Project has been involved with a number of local governments, citizen groups and individuals to discuss some development plans and to carry out the formulation of a number of trails in Chicagoland. Some of the ideas have become actualities and some are still in the "dream stage". The Open Lands Project has served as a catalyst for some action, and for a good deal of discussion and planning.

For the past year, the Open Lands Project and the Regional Planning and Recreation Committee of the Council of Governments of Cook County have discussed the possibility of bringing together groups interested in trails in the Chicago area. Today's meeting represents the first time a group of this sort has been brought together to discuss the need for and development of trails in an urban setting.

The burgeoning population in a metropolitan area, their seeking for places to go and things to do that are close to home and yet are in a natural setting have stimulated attendance at this conference.

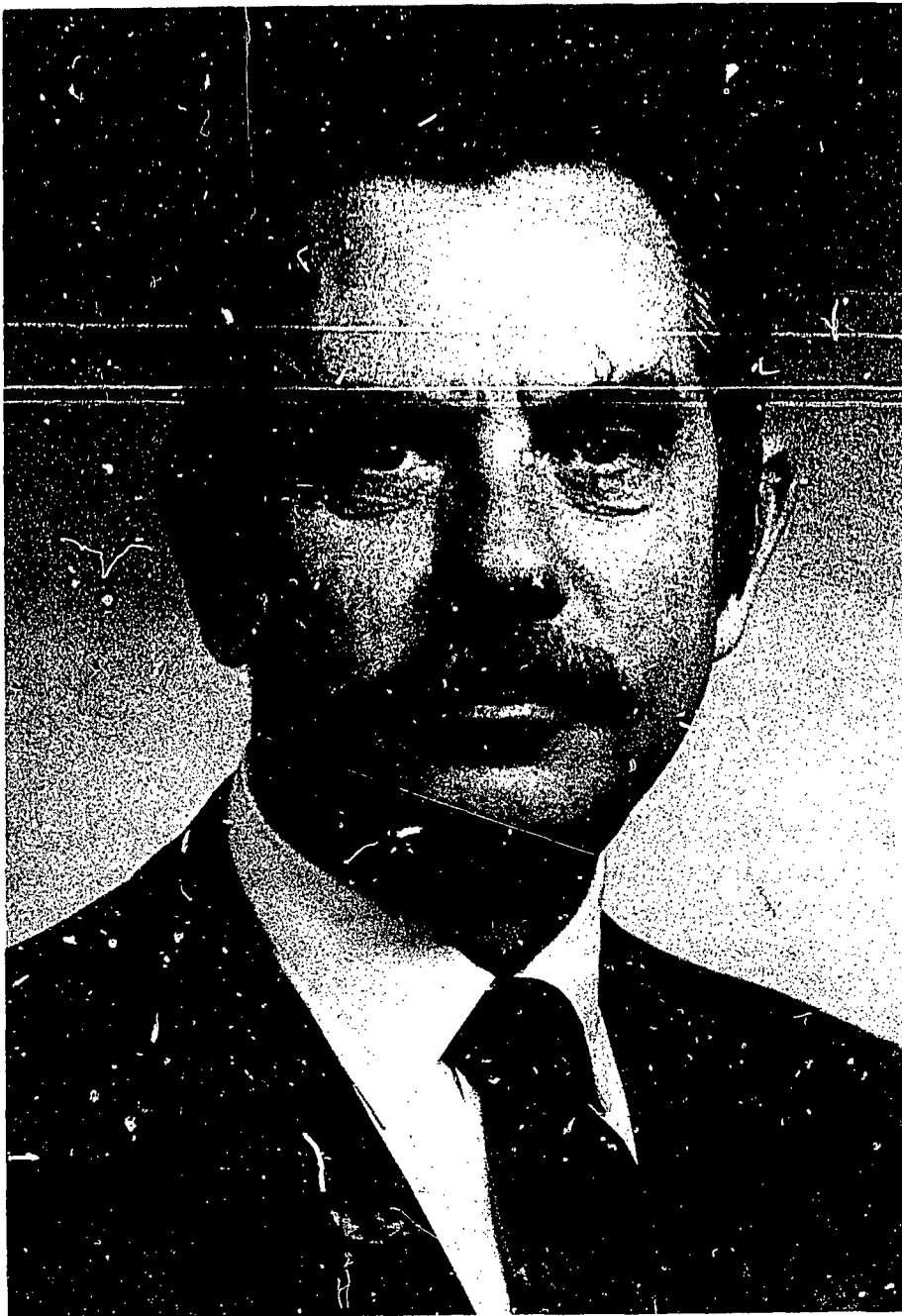
Throughout the metropolitan region there are a number of interesting opportunities to explore potential trail developments and to preserve specific trails that have already been established. The bringing together of a group of planners, activists, naturalists, recreation specialists and interested citizens to establish future opportunities for the public gives a focus to our meeting today.

We anticipate a sharing of ideas, discussion of methods and the beginning of a continuing process that will lead towards an increase of trails in Chicagoland. The cooperation of governmental, professional, civic and public groups can accomplish many things that a single group could not do alone.

The utilization of abandoned railroad lines, of utility rights-of-way, forest preserve and park district properties, of stream banks, of waterways, can all lead to the opening up of a network trail system for adults and children alike, whether it be on foot, on horseback, on bicycles or canoes.

The opportunities are all around us; today we have a chance to capitalize on these and coordinate our efforts to make these opportunities realities.

GUNNAR A. PETERSON  
EXECUTIVE DIRECTOR  
OPEN LANDS PROJECT



STUART P. DAVEY

As chief of the Bureau of Outdoor Recreation's Division of Resource Area Studies, Mr. Davey heads the group responsible for the bureau's planning studies of wild and scenic rivers, trails and national recreation areas. The bureau also coordinates Department of the Interior and other federal efforts in planning for these recreation areas. Prior to accepting his present assignment, Mr. Davey was a staff specialist with the President's Council on Recreation and Natural Beauty. He began his federal service in the Fish and Wildlife Service after serving for eight years with the Virginia Game Commission. Mr. Davey is a graduate of the University of Michigan's School of Natural Resources, holding a bachelor's degree in forestry and a master's degree in wildlife management.

LUNCHEON ADDRESS BY  
STUART P. DAVEY, CHIEF,  
DIVISION OF RESOURCE AREA STUDIES,  
BUREAU OF OUTDOOR RECREATION.  
U. S. DEPARTMENT OF THE INTERIOR

URBAN TRAILS: A TREMENDOUS RECREATION OPPORTUNITY

I am particularly happy to be here with you today in Chicago for the "Windy City" perhaps typifies the challenges in America's sprawling cities. A hub of prairie commerce as well as a renowned cultural center, Chicago nevertheless is faced with too many people on too few acres with too few places for recreation.

To describe to you the problems of our overcrowded cities would be superfluous -- you know them as well as I. Fortunately, the 1970's are seeing a growing concern for our eroding environment, a concern which is not only directed at the physical world but also at improving the human condition, particularly in our cities. As President Nixon recently said in his Message on Environment, "Increasing population, increasing mobility, increasing incomes and increasing leisure will all combine in the years ahead to rank recreational facilities among the most vital of our public resources. Yet land suitable for such facilities, especially near heavily populated areas, is being rapidly swallowed up."

Consequently, I think that the establishment and preservation of urban trails -- walking and riding trails in and near cities -- is an important step toward the rehabilitation of our cities and people. You do, too, else you would not be here today. Permit me to express now, our deep appreciation in being asked to share this day, and to work together toward a nationwide system of recreation trails.

Like many of you here, we've long been interested in trails. In 1966, the Secretary of the Interior announced a series of financial grants to be used in cities across the country to develop a variety of urban trails. Twelve urban areas, including such cities as Chicago, Milwaukee, Detroit and Omaha, plus others situated further west, were selected to receive a total of some \$367,000 from the Contingency Reserve of the Land and Water Conservation Fund administered by the Bureau of Outdoor Recreation.

Chicago was allotted money for the rehabilitation, for bicycle purposes, of almost a mile of existing trail situated along the Lake Michigan shore. The Federal share of the cost was \$10,667.

Not too far away, in Milwaukee, we helped to construct over four miles of scenic bicycle trails with the Federal share being \$25,820.

Today, of the 12 cities chosen to receive the Federal money, 11 can boast either new or improved trails.

Now, and more importantly, the major example of Federal involvement in the urban trails picture is the National Trails System Act, Public Law 90-543, approved on October 2, 1968. Many of you know that it saw passage as a result of an intensive study carried out by a Federal Task Force in 1965 under the leadership of the Bureau of Outdoor Recreation. Too, you know that the recommendations stemming from this study appeared in a report published in 1966 by the Bureau entitled, "Trails for America."

For the benefit, though, of those of you who may not be familiar with the Trails Act, and to inform those of you who are aware of its passage with what has transpired since enactment, I will take a moment to highlight some of its key provisions.

The intent of the Act is to establish a network of trails that will span the Nation. To attain this goal, three categories of trails were established. They are: national recreation trails, national scenic trails, and connecting or side trails.

The Act places primary emphasis on the establishment of recreation trails in our cities. Thus, national recreation trails are to be urban oriented. They may be established and designated by the Secretary of the Interior, or the Secretary of Agriculture where lands administered by him are involved. Activities like hiking, horseback riding, bicycling, trail biking, and snowmobiling, or any suitable combination of these, may take

place on national recreation trails. Currently, one of our candidates for this designation is the Illinois Prairie Path, a trail some 31 miles long situated in DuPage County, Illinois, which uses as its right-of-way an abandoned railroad bed.

The second category I mentioned was national scenic trails. These trails can only be designated by Congress. They are primarily long distance hiking and riding trails boasting national significance and sometimes attaining lengths that figure in the thousands of miles. Motor vehicles are restricted from using these routes except under certain special conditions. The two initial components of the National Trails System are long mileage trails; namely, the famous Appalachian Trail of the East which stretches 2,000 miles from Maine to Georgia, and the Pacific Crest Trail in the far West which extends for approximately 2,300 miles along the coastal ranges.

The national scenic trails, by virtue of their great length, will automatically involve some of our urban areas.

The Trails Act also lists 14 other trails for study and possible designation as national scenic trails, a project which the Bureau of Outdoor Recreation leads and in which other Federal agencies, such as the Forest Service and the National Park Service, participate. In addition, considerable contribution to these studies is made by the States, local governments, private groups and individuals.

Of these 14 proposed national scenic trails, the Bureau is presently studying the Potomac Heritage and Continental Divide Trails and is about to commence work on the Mormon Trail. Others of these 14 include such famous names as the Santa Fe Trail, the Natchez Trace, the Oregon Trail, and the Lewis and Clark Trail. We have a sizeable task to perform in carrying out these studies.

The third category of trail is the connecting or side trails. These trails, by definition, may be established, designated, and marked as components of a national recreation or national scenic trail. At the present time, no connecting or side trails have been established.

But let's zero in on recreation trails in urban areas. Walking for pleasure is one of the most popular recreational activities. Yet, too often people do not have a decent place to walk.

The sidewalks of New York -- or Chicago -- or anyplace urban in the USA -- are fine for pleasure walking -- up to a point. Pleasure can be derived from simply window shopping or observing the cross-section of humanity one often encounters in these strolls, yet, man in the long run seeks more than asphalt, concrete, and steel.

Even though he is a gregarious creature, man sometimes seeks to escape the press of his fellows, the crowds that throng the sidewalks.

In short, he seeks open space and a trail. Not that sidewalks cannot form all or part of a trail but if they do they must provide adventure, some departure from the normal everyday routine and its accompanying problems. In fact, all recreation trails, whether they incorporate sidewalks or not, should contain this element of adventure. For people compartmentalized and regimented in the teeming cities, a trail to hike and explore can mean revitalization.

With all the need for people to recreate, the time to seize the opportunity to establish our urban trails is now, and the word "opportunity" triggers my next thought.

There is a section in the Trails Act which directs Secretary of the Interior Hickel to encourage the use of the Land and Water Conservation Fund to establish State and metropolitan area trails. The Fund program provides 50 percent matching grants to States and through the State to local units of government, for planning, acquisition, and the development of outdoor recreation areas and facilities, including trails. To qualify for assistance, all projects must be sponsored either by the State or local government. The projects also must meet the approval of the State and Federal governments. This program is administered by BOR and coordinated at the State level by a State Liaison Officer appointed by the Governor. Get to know this man!



On February 10, President Nixon in his environmental message to the Congress said, "I propose full funding in fiscal 1971 of the \$327 million available through the Land and Water Conservation Fund for additional park and recreational facilities, with increased emphasis on locations that can be easily reached by the people in crowded urban areas."

The Fund operates at present with an appropriation of only \$124 million. Consequently, based on the President's proposal, it is highly probable that more money will be available in the Land and Water Conservation Fund.

Some of you may believe that there aren't many urban trail opportunities left -- since development has pretty well obliterated what once might have made a wonderful hiking or bicycle path or even a bridle path. True, there have been opportunities lost, but don't let this discourage you! Let me toss out to you a few trail possibilities which some of you may have overlooked. Good places for trails include: stream valleys and their flood plains; utility rights-of-way such as natural gaslines and powerlines; abandoned railroad or streetcar rights-of-way; easements for underground cables; areas around reservoirs, irrigation or transportation canals and laterals; levees, flood dikes, jetties, and breakwaters. I'm sure you can add to this list.

And when thinking of these trails, think big! You'll be surprised at the number of trail opportunities available in Chicago and elsewhere and how

with some hard work on your part you can seize these opportunities and change them into realities.

Some of you are already accustomed through firsthand experience to know the truthfulness of these words. The Open Lands Project and the Council of Governments of Cook County are organizations that know we don't come by most of our trails easily. Actually, the setting up of trails in cities can be not only a challenge, but also a very interesting and rewarding experience. You will acquire knowledge; knowledge of trail planning, design and layout; knowledge of your local and State governments and how they operate with respect to your interests; and also knowledge of something else -- perhaps the most important thing -- a knowledge of people, with insight into their needs, insight which can go far beyond recreation.

In "Trails for America" there are two pages devoted to what the States, local agencies, and private groups can do to establish trails in their areas. I'm not going to repeat those lists of things to do verbatim; instead I'll just mention a few of the key suggestions.

States can:

1. Give consideration in their comprehensive statewide outdoor recreation plans to opportunities for trail development that will help to meet urban needs. These plans are a prerequisite to receiving moneys from the Land and Water Conservation Fund.

2. Jointly develop clear-cut lines of authority and responsibility for trails among the various units of government and private interests.

3. Work actively with local public and private groups to provide necessary professional help in trail planning, development, and operation.

4. Assist in acquisition and development of lands for trails when local governments are restricted from prompt action by financial limitations. After acquisition of such lands, development and operation can be assumed by local agencies.

5. Enact legislation where necessary to protect landowners from liability claims arising out of the use of trails on their lands for recreational purposes.

Localities can:

1. Assume the major responsibility within metropolitan areas for acquisition, planning, development, and maintenance of trail systems.

2. Pursue an aggressive program of trail development on city and county lands.

3. Mobilize youth groups and hiking, riding, and cycling clubs to develop public support for trails.

4. Seek technical and financial assistance in trail needs from State and Federal agencies.

5. Publicize the opportunities readily available for trail use and enjoyment by using the news media and trail guide maps.

Private groups can:

1. Stimulate State and local legislative action to authorize trail development and maintenance.
2. Advise public agencies of the needs for trail facilities, and participate in joint planning.
3. Assume responsibility for construction and maintenance of designated trails or segments.
4. Provide as much financial assistance for trails as possible.
5. Provide trail promotion necessary to realize joint objectives.

Along these lines other good ideas will also occur to you. Don't fail to use them. I cannot stress enough just how important all of you are to the success of an urban trails program and to the creation of a National Trails System. You are salesmen and salesladies; your product is recreational opportunity along trails; and your market is the State, local governments and your fellow citizens.

Thus far I've talked about urban recreation trails in general, now I'm going to return to the Trails Act to discuss specifically national recreation trails. The question may occur, what exactly comprises the national recreation trail system? Well, as you've already discovered, these trails are to be

largely urban oriented, but in addition, they can be either publicly or privately owned and administered; they should also meet the criteria for national recreation trails as developed by the Interagency Task Force on Trails, a force composed of members of the Departments of Interior and Agriculture. One fine point: "national" cannot be used in the name of a privately-owned trail, but the private trail can be designated as a "part of the National Trail System."

These criteria establish guidelines with respect to a trail's readiness, its use and availability, length, location, design, and administration and management. Procedures have been worked out by the Bureau of Outdoor Recreation for the review of candidates for national trail status and also procedures for their designations.

So that you will know exactly what the criteria entail and also who you may contact to submit candidates for this designation or to answer your questions on the subject I have brought along for distribution, copies of the criteria to which are attached the addresses and telephone numbers of the Bureau's various Regional Offices. Our personnel will be happy to hear from you.

You may question the sense in working hard to get your trail to measure up to the criteria for national recreation trails when all you'll get, provided you are accepted, will be a national marker which, in fact, you will have to pay for yourself. What is the value of a national recreation

designation? My answer is . . . plenty! A national designation carries considerable prestige. It becomes a rallying point for the people wherein to take pride in the fact that their trail is a national trail, one that belongs to a system that is nationwide.

A national recreation designation is an excellent publicity tool which, in skilled hands, can be used to focus attention on the program and progress being made in recreation and conservation in your communities. It can be effectively used not only to stimulate the establishment of more urban trails but also to preserve already existing ones which may be threatened by development or other dangers. So please don't underestimate the value of a national recreation designation.

At the same time, I would like to remind you again that even though money for urban trails is not available through the National Trails System Act, the Land and Water Conservation Fund and its cost-sharing provision for the establishment and development of trails is available through the States to the localities.

Today I have given you some idea of what, hopefully, you can accomplish for urban trails and, too, I've given you some information of how the Federal government can assist. I have mentioned financial assistance through the Bureau-administered Land and Water Conservation Fund.

At the same time I would like to call to your attention the fact that the Trails Act directs the Secretary of Housing and Urban Development, in that agency's urban programs, to encourage the establishment of recreation trails. That Department's Open Space Land Program provides grants of up to 50 percent to State and local public bodies to assist in the acquisition and basic development of lands for park, recreation, and open space purposes. The creation of trails on lands purchased for these purposes is an eligible project cost.

Aside from money, technical assistance with your trails and other recreation problems is available from the Bureau of Outdoor Recreation as well as from other recreation-oriented agencies. I can't promise that we will be able to solve all of your recreation problems, but I can guarantee you cooperation. The only condition I would place on this guarantee is one concerning budget and manpower limitations. Like most Federal agencies, and perhaps like some of your organizations, we are currently short on money and personnel.

In closing, I think today's conference is a step in the right direction toward meeting at least one of the Nation's urgent needs. We are exploring here shared ideas. And this is good. So good that I don't think we should just walk away from this conference without first establishing some means of following up with what we are discussing. Let's face it, we are only at the beginning of the urban and national trails program -- a long road lies ahead

for all of us in this business, and we will enjoy it more and accomplish much if we tackle the road together. In other words, we've got to continue what has been started here today!

G. Douglas Hofe, Jr., Director of the Bureau of Outdoor Recreation, is considering calling a National Urban Trails Conference to be held sometime early this fall in the Nation's Capital. The Bureau will be glad to sponsor such a meeting but Director Hofe is suggesting The Open Lands Project as a co-sponsor.

With the experience of this workshop under our belts, I believe we can organize a meeting, national in scope, that can put the National Trails System program, literally, on the map.

Thank you.



### LEGAL CONSIDERATIONS

ROGER BJORVIK,  
VICE CHAIRMAN,  
COUNCIL OF GOVERNMENTS OF COOK COUNTY

Each metropolitan area must plan its open space system carefully if it is to be of lasting value. Open space should not be the random bits of ground left over when all other urban uses have been satisfied, nor should it be considered a convenient space for the placing of future highways. A park and recreation system demands at least equal priority with all other urban uses. Some would say it demands first priority if a decent environment is to be achieved. Following are some legal considerations in the area of planning and developing recreation oriented trails.

#### Statute Governing Liability for Injuries:

The Illinois legislature has enacted a statute (Chapter 70, Section 31 et seq.) governing the liability of a landowner for injuries suffered by persons on his land for recreational purposes. A number of other states have passed similar statutes aimed at encouraging public recreational use of privately owned forest and farm lands. The Illinois statute classifies persons permitted to enter private land for recreational purposes into three groups: (1) Those permitted to enter for an admission price or fee paid by the user; (2) those permitted to enter property which has been leased to the State or any subdivision thereof; and, (3) those permitted to enter without charge. Users in

the first group, that is, those who have paid a fee, are unaffected by the statute. Under common law rules, these persons are invitees and are able to recover for injuries caused by the landowner's negligence. Persons permitted to enter for consideration paid by the State were also invitees under common law rules. Under the statute, however, the landowner will only be liable to these entrants for wilful or malicious failure to guard or to warn against a dangerous condition, use, structure or activity. Persons permitted to enter for no consideration were treated as licensees by the common law and were able to recover for injuries resulting from the act of negligence of the landowner or from hidden dangerous conditions described as traps. Under the statute, these gratuitous entrants may also only recover for wilful or malicious failure to guard or to warn against a dangerous condition, use, structure or activity.

The statute thus modifies the traditional invitee -- licensee -- trespasser classification of persons entering upon the land of another. The landowner owes the duty of reasonable care to only those recreational users who pay admission price or fee. All other users, including both those who are permitted to enter property leased by the State or by a local governmental body and those entering for no consideration are treated the same as trespassers, i.e., they may only recover for injury caused by wilful or malicious conduct or omissions.

A few questions arise concerning the definition of various terms. The Illinois statute has corrected one problem caused by other states in their use of the term "valuable consideration." The question in those states was whether some benefit flowing to the property owner other than actual cash constituted valuable consideration. Illinois has solved that by using the word "charge" and defining it as the admission price or fee asked in return for invitation or permission to enter or go upon the land.

The language "wilful or malicious failure to guard or warn against a dangerous condition, use, structure or activity" raises a problem as to what conduct is required of the landowner. The malicious term requires actual ill will and intent to injure. However, the situation is not so simple regarding the wilful term. I would speculate that the court would construe this term to require that the landowner take active steps to correct any dangerous conditions of which he is aware, and that the landowner will not be required to prepare the property for recreational use. This would, of course, eliminate the duty to inspect the area.

This statute represents an interesting attempt to influence the use of land by changing tort law. Its enactment is further evidence of the growing crises in outdoor recreation within this State.

There may be situations here in the metropolitan area where the existence of this statute may prompt a property owner to make his land available for recreational purposes. However, I think that for all practical purposes,

we will be faced with a request for a lease agreement, which agreement will include the usual "hold harmless agreement" and adequate liability insurance coverage.

#### Leasehold Interests:

When the owner of real property transfers the right of possession of real property for a term and retains a reversion, the transfer is a lease. The main drawback to leasehold interests is that leases can be drawn, in the absence of statutory limitations, for extremely long periods of time, long enough to satisfy virtually any recreation objective, and the possibility exists that the reversion could be transferred to a public agency whose objective would be to continue the present use of the property.

To my knowledge, all governmental bodies have the statutory authority to enter into leases with private agencies. The statutes granting such authority usually limit the period of the lease. The Illinois Statutes (Section 156-158a, Chapter 30 IRS) allow Illinois municipal corporations and political subdivisions which touch or overlap their boundaries. The statute also permits leases for a period of not exceeding twenty years.

A sample lease with Commonwealth Edison Company and an Agreement between DuPage County and The Illinois Prairie Path are included in these Conference proceedings as Appendix A and Appendix B respectively.

### Easements:

While the Easement concept has been with us for many years, it has not been used to any great extent in connection with the acquisition of rights-of-way for recreational use. One type of easement which by name alone is recreation oriented is the scenic easement. Basically the scenic easement takes away some of the land owner's rights regarding his property. Probably all scenic easements take away the owners right to use his land for dumping purposes and also remove his right to remove trees from the property. In addition to these causes, other causes can be added prohibiting the erection of signs and possibly other types of structures, including buildings. Usually the owner slips in an exception permitting the development of the property for residential use. Some care should be used when this term arises so that the owner of the scenic easement doesn't end up looking at a trailer camp. The width of the easement is a negotiable item. The dimension is usually measured from the center of the trail and the total width of the easement is thus governed by the nature of the geography and the salesmanship of the trail advocate. The important thing to remember about a scenic easement is that it gives the owner the right to look at something rather than to use it. This is not to say that the easement right cannot be extended to give the holder of the easement the right to maintain the land covered by the easement.

Our Illinois Department of Highways is presently considering the acquisition of property adjacent to highway right of ways, which property could be used for trails and also for scenic easements. Legal objections have been raised regarding the use of highway funds for non-highway purposes.

A sample easement agreement between the Village of Winnetka and The Committee for the Green Bay Trail is included in these Conference proceedings as Appendix C.

A North Dakota case, Newman v. Hjelle, 133 NW2d 549 (1965) has held that highway funds can be used for the acquisition of scenic easements. The Department of Highways was held to have the right to control advertising signs, billboards and other signs erected on the right of way, as well as on lands abutting thereon. It has been national policy since 1958 (Section 131(a) of Title 23 USC) that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of a right of way and visible from the main traveled way of all portions of the interstate system should be regulated consistent with the national standards to be prepared and promulgated by the Secretary of Commerce.

#### Intergovernmental Cooperation:

A very serious problem that has been encountered in the past with respect to the development of trails is that they are by definition long stretches

of land and therefore come within the jurisdiction of different types of governmental bodies. In planning, developing and maintaining the total trail, it has been difficult for these various governmental bodies to legally bind themselves to a long-range project. This legal complication has been cured by the passage of House Bill 2141, which was signed into law on August 18, 1969, and is found in the Park District Code, Chapter 105, Section 8-18.

Every park district shall have the power and authority to develop, operate, finance and participate in joint recreational programs with contiguous park districts, or cities, city recreation commissions, or school districts, or other municipal or quasi-municipal governments, and to enter into join agreements pertaining thereto, including the joint use of facilities and equipment and the securing of liability insurance in connection with such use.

Insurance:

Reference to liability insurance in the above-mentioned park district statute raises a point that should not be overlooked. Proper liability insurance coverage should be obtained by the public or private agency planning and developing the trail. If an injury occurs on the trail, it is well to have an insurance company investigate and defend the claim and the lawsuit if one is filed, rather than the private or public agency bearing the legal costs of defense. If the owner of the trail is a public agency or a group of public agencies, the obtaining of insurance is quite easy and quite economical. State of Illinois Uniform Act Regulating Traffic On Highways. (Chapter 95-1/2) Section 121 provides that:

"Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this Act applicable to the driver of a vehicle except those provisions of this Act which by their nature can have no application."

Section 123 of the Act has given to local authorities the following power:

"Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee."

Section 127 requires that local authorities and road district highway commissioners in their respective maintenance jurisdiction shall place and maintain such traffic control devices upon highways under their maintenance jurisdiction as are required to indicate and carry out the provisions of this Act and local traffic ordinances or to regular, warn or guide traffic. All such traffic control devices shall conform to the State Manual and Specifications.

It is obvious, therefore, that despite strong feelings by some municipal authorities to the contrary, that municipalities do have the authority to regulate the operation of bicycles and the authority to place signs to govern the routes recommended for bicycle use.

Recommended Action:

Immediate steps should be taken to have legislation adopted by the Illinois Legislature to enable the State and other governmental bodies to exercise the right of condemnation in the following areas:

- a) Easements for paths and trails to scenic places;



- b) Easements to plant and maintain shrubs and trees along rivers and ponds;
- c) Easements to conserve future rights-of-way and scenic easements for highway purposes;
- d) Easements to prevent the erection of buildings and billboards in the vicinity of parks.

An objection might be raised that some of the above recommendations involve aesthetic consideration and governmental bodies do not and should not have powers which impose restrictions on individuals which are based solely on aesthetic considerations.

It is submitted that aesthetics can and should be declared a public necessity and governmental bodies should be empowered to acquire those interests in property necessary to guarantee the continued existence of areas conducive to open space enjoyment.

## DEVELOPMENT

RICHARD BUCK  
LANDSCAPE ARCHITECT  
COOK COUNTY FOREST PRESERVE DISTRICT

Welcome to the session on trail development. During this first ten minutes of our period, I hopefully will sketch out for you the various approaches necessary in trail construction. For those of you interested in what the Cook County Forest Preserve District offers in the way of trails, I call to your attention the District's Trail Maps. The map I am showing is a four color printing of a specific Forest Preserve Division. There are nine such maps available. It shows the existing trails and the important features such as picnic areas, lakes, historical points of interest and areas of botanical interest.

Those of you interested in a particular part of the county may obtain such a map by request to our general headquarters at 536 North Harlem Avenue, River Forest, Illinois, zip code 60305 or by calling CO 1-8400. The first category of trails I will discuss will be Horse Trails. Most of the 150 miles of multi-use trails in the Forest Preserve District are, or were formerly, Horse Trails. I say formerly because in many instances the process of urbanization has forced the private stable owner out of business.

We have seen a dislocation of these private stables to areas further out, adjacent to lands we have acquired in recent years. These new lands do

not have the trail facilities developed yet at this time. Horse ownership in Cook County has not declined as was expected to happen a few years ago. Instead, our increased standard of living has made it possible for more people to own horses and to ride. The big decline is in livery horses available for rental to the general public. Although our future plans include horse trail construction in these new locations, we have already a large investment in the existing trail system. It has been recommended that the District establish livery stable on its own property thereby preserving the existing pattern for equestrian use.

Most of the District's Horse Trails were built in the days of the C.C.C. and W.P.A. They can be identified by the beautiful lannon stone bridges and headwalls. Most of these early trails were highly engineered with much consideration given to proper drainage and base work construction.

The trails were built up slightly higher than the surrounding ground and were crowned and ditched to give adequate surface drainage. The District has used cinders for many years as trail surface material. Originally, cinders were selected because they were readily available only for the cost of trucking from the many commercial furnaces in the Chicago area. In this day and age, most of these sources have dried up but we still do have access to enough to do repair work.

It is my observation that cinder surfacing was not the best answer for trail work. For one thing, they are light weight and wash and erode

during times of rain. When they are dry they give off dust and dirt. In some instances in response to complaints from neighbors, we have had to oil sections of trail to keep the dust down. In recent years we have switched to crushed gravel surfacing for all new horse trail construction. The type selected is a light brown river gravel which blends in nicely in the landscape and which has a variation of aggregate size to allow for proper compaction.

Along with construction of horse trails, it is necessary to consider proper control of the rider. Our biggest problem is the person who takes his mount off of the designated trails into picnic areas and other purpose developments. To handle this situation, we have licensed both the horse back riders and the horses. This puts the responsibility of deportment on both the rider and stable owner. The license for the rider is 50 cents for three years and can be purchased at the livery stables. The horses are licensed with a tag that is affixed to the bridle. This costs 5 dollars per year. These licenses can be revoked for mishandling of the animal on District property.

In some critical areas such as horse trails adjacent to nature trails, we have installed three rail wooden fences to assure separation of use. Another category of trail important in the urban scene is the nature trail. A nature trail can help to promote good outdoor manners and help people to be better and more understanding custodians of our natural resources.

The Forest Preserve District of Cook County has approximately 30 miles of labeled self guiding nature trails. Seven and one half miles are all season trails, kept and maintained at our three major Nature Centers. The remaining 23 miles are seasonal trails at important picnic centers. These are paths labeled each year by the District's summer naturalists in conjunction with their interpretive work with day camps and youth groups.

Each of the District's nature centers has three self guiding trails that vary from 1-1/2 to 1/4 miles in length. By giving the participant these three options, he can choose a route in keeping with his ability and time requirement.

A great deal of thought goes into laying out a nature trail. Care is given to try to include a variety of experiences by emphasis of special features such as rock formations, ponds, marshes, plants and animals. Plants and animals of a field differ from those of a woodland. We try to include as many different habitats as possible.

It is important that the trail be a loop trail so that one does not retrace his steps and in rough terrain should follow the contours for easier travel and to prevent erosion.

In constructing a nature trail, it is important to minimize destruction of the trail periphery. Your visitors should marvel at the natural appearance of the trail and its borders. The surface of the trail should be that it can be

used at all seasons of the year. A trail that has wet spots encourages the public to take detours that would destroy the continuity of the trail or the appearance of the trail edge.

We have for years used wood chips for our trail surface. These are obtained free of charge from public utilities that trim trees along their right of ways and from our own forestry operations. These have a natural appearance and are dry and comfortable to walk on.

The greatest drawback to the use of chips is that with much traffic, weathering and natural organic processes, they do break down and become a part of the soil. Therefore, it becomes a yearly task to add additional chips. In the case of our Little Red School House Nature Center which handles some 300,000 visitors a year, it was necessary to go back in and replace the chipped surface with crushed brown gravel to eliminate the constant maintenance factor. We have been quite pleased with the results of this change and are satisfied with the natural appearance of the new trails.

The Forest Preserve District uses the printed information label as its technique of self guiding rather than the use of trail pamphlets. This method has greater flexibility to make changes with the seasons and to take advantage of unforeseen opportunities along the trail. I have samples of the types of trail information that we put along our trails. These are printed on card stock in sufficient numbers that if they are removed or become faded, they can be easily and inexpensively replaced. The life of such

a card in the field is about one year, barring vandalism. The trail cards are checked each day by the Nature Center naturalist and acts to get him out on the trail to know what is happening.

It is important that the labeling of the trail and the information provided is done through the use of a professional interpreter. His background gives the material presented the authenticity needed to make the effort of value to the public.

The Forest Preserve District has for generations served as areas for bicycle use. Within its boundaries there are many miles of paths that children have used in their exploration of the interiors of the woodlands. It has been only in the past few years, however, that we have formalized and designated specific routes for this purpose. As the urbanization of Cook County increased and the conflict between bicycle and the automobile became more acute, we realized that an opportunity existed for the District to provide a much needed recreational facility. A bicycle today is much more than a child's toy. It is a form of recreation and exercise to be enjoyed by people in all age groups. In examining what we had in existence in the way of multi-purpose paths, it was obvious that they didn't meet with the criteria needed to serve the bicycling public. For the most part the paths were fragmented scraps that lacked continuity or sufficient length to be of county-wide appeal.

One of the most important factors in the design of a good bike trail is length, as a cyclist can click off quite a few miles in a very short time. Our

first experiment with a specific Bike Route was our Salt Creek Bicycle Trail. A copy of our bike trail map for this route is included in the trail kit furnished you for this conference. The success of this trail confirmed in every way our expectation that the public would be appreciative of a special bike trail facility. Salt Creek Trail is six miles long between the Brookfield Zoo and Bemis Woods picnic area at the Western limits of our county. The trail is of dirt construction with several small sample areas of gravel and bituminous sealer that were tried as an experiment. The work in the preparation of this route was minimal as we took advantage of the well graded clay berm along the creek, the result of a recent stream improvement by the Division of Waterways. In the layout of the route we brought the trail to existing traffic signals wherever possible to cross major highways. The one railroad crossing is accomplished by using an old cattle tunnel that was in existence when we purchased this parcel of land as a farm years ago.

The State Highway Department also cooperated with us by identifying our crossing points with the standard sign recommended by the Bureau of Public Roads.

One of the problems encountered with a dirt trail is that of providing maintenance access into these interiors. To operate trucks on the trail, we run the risk of continually rutting up the riding surface. We find it necessary to go back in these areas to mow grass, pick up litter, remove diseased trees, fight grass fires and in general to check the deportment of those using the trails.



It is obvious to us, that to keep a trail in top condition, we must have good service access. In the design of our most recent trail, the North Branch Bike Trail, we have taken this into consideration. The trail is different from our Salt Creek Trail in that we have gone to an all weather bituminous surface to allow us to properly maintain our trail site and to give the user the best possible ride. In making this determination, we leaned heavily on the information made available by the booklet, "Bike Trails and Facilities, A Guide to their Design, Construction, and Operation" put out by the American Institute of Park Executives, Inc. This publication goes into the many options available for trail construction and I highly recommend that anyone planning to build a trail should get a copy and review it prior to making permanent decisions. It is interesting to note that their research indicated that 67.66% of the agencies quired were using asphalt surfacing and that 76.20% considered asphalt the best. Our trail is an eight foot wide pavement with one foot gravel shoulders on a well drained prepared clay base.

The North Branch Trail, when completed, will reach from the City of Chicago at Caldwell and Devon Avenue, along the north branch of the Chicago River, seventeen miles to the Lake, Cook County line. At the terminus of the route will be the new Botanic Garden now under construction by the Chicago Horticultural Society. This trail will give to the adjoining communities the opportunity to connect their local bike routes to a major Forest Preserve facility.

To date, the District has finished two and one half miles of the North Branch Trail and engineering plans are being prepared at this time for another two mile portion of the route.

In laying out the proposed route for the North Branch Trail we have taken advantage of existing traffic signals at Highway crossings.

Yet there still remains some very serious conflicts in several locations where District lands are some distance from signalized intersections. There are two rather expensive possibilities for creating safe crossing at these points. They are crossing at grade with special traffic signals at a cost of approximately \$40,000 a crossing or an overhead bridge and ramp arrangement costing anywhere from \$60,000 to \$100,000. This matter of public safety is very important to us where we are inviting the public to use a Forest Preserve facility and we would move ahead faster and with more assurance if these problems were resolved.

It is our contention that the Highway Departments should bear some of the financial responsibility in accommodating these crossings. Traditionally, the Highway Departments, by definition, have ignored the problems of the pedestrian and cyclist, planning only for the automobile. The fact is, if the highway people had been responsible to comprehensively plan and build for these other means of locomotion, a Conference for Trails in an Urban Setting would probably not be needed today. In a recent discussion with Illinois Highway officials, they acknowledged our problem but could offer no solution.

If this conference today does nothing more than identify and publicize highway conflicts as the most critical obstacles to the creation of urban trails, I will be satisfied that the Conference has been a success.

## UTILITIES

ALBERT R. HEIDECHE  
ASSISTANT DIRECTOR, REAL ESTATE  
COMMONWEALTH EDISON COMPANY

As you know, Commonwealth Edison Company has many miles of fee owned and easement rights-of-way in northern Illinois. These rights-of-way were acquired for high voltage electric transmission lines. However, they are being used for many other compatible purposes. Other utilities have purchased rights in these rights-of-way for gas mains, petroleum pipelines and in addition the surface is used in many locations by public bodies, private groups or individuals for various purposes such as parking, lawn and garden, agriculture, roadways and recreation. There are locations where the rights-of-way remain in a relatively undisturbed state and they are used for hiking trails.

Edison's rights-of-way are currently being used for recreational purposes at many locations. The rights-of-way are leased by school districts, park districts, youth baseball groups, home associations, forest preserve districts and churches. The uses range from playgrounds and baseball fields to hiking trails.

The best example of a hiking trail on an Edison fee owned right-of-way is the Keepataw Trail south of the Argonne National Laboratory west of Illinois Route 83.

In the case of easement rights-of-way the best example is the Illinois Prairie Path. Edison acquired perpetual easement rights for facilities, including electric tower lines and pole lines, from the Chicago, Aurora and Elgin Railway Company in 1946. In some cases Edison owned the underlying fee title to portions of the Railway's right-of-way. When the Railway's right-of-way was acquired by DuPage County, Edison retained its easement rights. We subsequently cooperated with the Illinois Prairie Path people at the time they were negotiating a lease with DuPage County and we agreed to conduct our operations on the right-of-way so that there would be a minimum of disruption of the terrain.

The possibility of expanding the use of Edison's rights-of-way for hiking or bike trails or other recreational uses does involve problems ---- not from the standpoint of compatibility with Edison's use of the right-of-way for electric transmission or distribution lines, ---- but from a public relations standpoint.

As an example Edison has many leases outstanding on its rights-of-way for lawn and garden, parking and agriculture and other purposes. If we get a request from a park district or a private group to lease a strip of right-of-way for a trail, the right-of-way may cross many of these leased properties. The concurrence of our lessees would have to be obtained by the group desiring to establish the trail.

In other cases our rights-of-way are adjoined on both sides by the backyards of residential lots and the neighbors are using the right-of-way for lawn and garden. They view the area as private and subsequently if Edison opens up the area for a hiking or bike trail or for a lineal park, our neighbors view it as an infringement on their privacy. Subsequently, we feel that it is the obligation of the party desiring to establish the trail to sell the idea to our neighbors that the establishment of the trail is in the public interest. Many of these people have purchased the lots with the idea that our property is available for their use and they look upon our changing the use as an act of bad faith. You can see the problem that creates for us.

Any group desiring to establish a trail on our right-of-way as a connection between two parks or between a park and a forest preserve, should make a request to us outlining the length of right-of-way desired with details of the proposed use. We would in turn make a study of the strip of right-of-way involved as to what outstanding leases there are and as to what problems we would expect to encounter with our neighbors. We would subsequently arrange a meeting and discuss ways to overcome the problems. You can be assured that our attitude will not be negative and we will be trying to find ways to cooperate.

Mr. Bjorvik is passing out copies of a sample lease that we use. One provision that I might call your attention to specifically is the requirement

that the group establishing the trail take out an insurance policy in the name of Edison in the limits prescribed. This is required in all cases and has not proved to be the problem to any of the groups presently using our rights-of-way.

Another use of Edison property that might be of interest to you involves a lake which we developed for cooling water at our Kincaid Generating Station southeast of Springfield, Illinois. We donated part of the property to the Department of Conservation and granted an easement for the Department's use of our shore line, for recreational and conservation purposes. The Department stocked the lake several years ago and it has become a very popular place for fishermen. This is another example of compatible use of property and facilities.

## PLANNING

EUGENE M. LEWIS,  
SECRETARY,  
THE ILLINOIS PRAIRIE PATH

"Planning" is a generous term which can include many inter-related activities. Planning begins with the first idea for a trail, continues through the organization of groups to establish the facility, works with the actual design of the pathways, stands close by when construction is underway, takes a very active role in establishing a maintenance plan, and is always available throughout the life of the facility to guide and advise in response to changing times.

Initially, we said planning is a large term since it covers locating the trail, arousing enthusiasm for it, finding money to finance it, building the pathways, maintaining them and making provision for continuing the trail's existence for so long as the need exists.

Let us now assume that the proposed trail is defined -- its route is known -- and that the financial problems are in hand, and that there is an enthusiastic group interested enough in the trail to keep it going. Now is the time to plan and organize an operating and control organization.

### I. Establish the Trail's Resources

A. This is a function of the Planning Committee. (Who should be on it?)



- B. Maps (General and Detail)
- C. Inventory of Resources
- D. Records (Sectors, file organization)

## II. The Maintainers Corps

- A. Establish a Local Participation Officer (Availability important)
- B. Volunteer Recruits
  - 1. Those along the route
  - 2. Local organizations
  - 3. Others
- C. Registration
  - 1. Roster
  - 2. Notification letters - identity of each neighbor
  - 3. File organization
- D. Continuous Contacts
  - 1. Events affecting sectors
  - 2. Reports from field on condition, etc.

## III. Planning Improvements

- A. Planning committee function
- B. Pinpointing trouble spots in detail
- C. Remedial plans with estimate of costs in time and money
- D. Cooperation with outside agencies
- E. Expansion of trail -- nodal parks, extensions to connect with other networks

#### IV. Utilization

- A. Establish a Utilization Officer
- B. Organized Usage: Walking, hiking, cycling, riding, canoeing, if appropriate
- C. Casual Usage: Kids, joggers, walkers, hikers
- D. Special Events: Nature walks, endurance contests
- E. Controls: Rules and regulations

#### V. Ultimate Objective

- A. Success means permanence. How to provide for the trail's future?
- B. Objective -- get the facility out of volunteer hands and into a governmental unit such as a park district or forest preserve
- C. The role of publicity -- do not underestimate -- lots of press and talk important for image development

## GETTING STARTED

RUTHERFORD H. PLATT,  
STAFF ATTORNEY,  
OPEN LANDS PROJECT

### Background

The experience of the Fox Path Association in getting started should be of considerable interest to other grass roots organizations, whether involved in creation of trail or in other conservation projects. The Fox River came to the attention of the staff attorney of the Open Lands Project through an assignment undertaken during his graduate work in geography. The scenic and natural attributes of the River Valley were obvious and the desirability of establishing some kind of public open space facility was indicated. The following comments reflect the experience of the Fox Path Association to date.

### Information

The first order of business in undertaking such an effort is to gain detailed information of three kinds:

- (1) the physical character of the area concerned including topography, drainage, vegetation and scenic amenities in general. One should also note the physical disamenities and structural barriers such as junk yards, railroad tracks, highways and the like.

(2) legal information: one must obtain accurate and up-to-date data on ownership of the land in question.

Also important is the public land use regulation in effect such as zoning, flood plains, restrictions, building codes, subdivision regulations and the local tax situation. These may be either beneficial or detrimental influences on the proposed project. They must be known with certainty.

(3) future development: through interviews, newspaper articles and other sources, one must try to determine the likely shape of things to come in the area in question.

Only through such awareness of current trends can an open space group deal effectively with the changing situation and influence decisions towards their objective.

#### Local Support

After obtaining the foregoing information, it is necessary to solicit local interest. This can be done through newspaper releases, talks at civic groups, other public meetings, and letters to influential citizens. All of these means were used in the Fox Path case.

When a favorable response is apparent, a meeting should be called of all interested and influential local citizens. (Direct personal invitations are

recommended.) At the meeting, the proposal should be presented in detail with maps, photographs (aerial if possible), short written statements and general enthusiasm. Hopefully, individuals will come forward. However, it may be necessary to "draft" needed personnel and in this way get the work done and broaden the base of involvement. Persons directly involved should include a balance of "big names" and "regular folks," of busy professional people and women who have time to devote, and members of the various social, economic, and political interests of the area.

Committees should be formed to handle the following functions:

1. Planning
2. Publicity
3. Membership/Finance
4. Legal

It is important that one or two individuals do not try to do everything.

Contacts should be made as soon as possible with local public officials in the area concerned to seek their approval and support. Next, contact with private property owners and other citizens directly affected by the project should be initiated.

At this time, the group should incorporate if it plans to seek interests in lands or to make any contracts. The not-for-profit incorporating structure is simple to establish and lends legal autonomy to the group. Individual

members are protected from liability. Also the business of the committee is better organized through the use of a formal corporate structure.

Most important to the success of an open space venture is a climate of local interest and approval. Lack of this element was responsible for the failure of the famous Brandywine Project near Philadelphia. The local citizens must see a benefit to themselves arising from the Project.

In the Fox Path case, several public meetings were held and local reporters gave favorable coverage through newspapers. In spite of the good reception, however, various fears were raised by members of the public:

#### Hypothetical Fears

(1) Liability for accidents: This can be alleviated through insurance held by the open space group to protect property owners and also the Illinois law protects property owners from liability to persons on their land for recreation;

(2) Crime: Any public open space facility has the potential for being the site of a crime. However, this problem seems no greater than if the land were not included in such a facility;

(3) Vandalism: Proper instruction and adequate signs should alleviate these problems, although it always haunts proponents of open space projects;

(4) Littering and Concessions: Private property owners naturally would object to these forms of land pollution.

Careful planning is essential to insure that the site is properly maintained and kept clean. Private concessions and "peddling" may be legally kept out of the area.

(5) Loss of Legal Rights: Where an easement or "license" is involved, property owners will not lose their legal rights over time, if they formally consent to open space use while retaining their underlying interest. "Adverse possession" only operates where no consent has been obtained.

### Conclusion

The foregoing has described certain aspects of "getting started". The stage of follow-through and establishment of the trail involves a lot of work and sustained enthusiasm by the proponents. It is essential to make steady if slow progress in order to maintain a "success" image. A well-conceived open space project will not fail unless its sponsors lose interest or get attracted into newer and therefore more glamorous activities. Getting started is easy, as compared with following through.

## STATE AND FEDERAL AID

JOHN D. CHERRY  
BUREAU OF OUTDOOR RECREATION  
U. S. DEPARTMENT OF THE INTERIOR  
ANN ARBOR, MICHIGAN

During the past five weeks, I have been going through the State and Federal assistance programs, and after poring through all these programs in this region, I am pleased to report that there are a number of outdoor recreation and urban programs available which are important in the planning and establishment of urban trails. You may not realize it, but there are well over 200 Federal programs alone which provide some kind of assistance for outdoor recreation, including trails, but only a few of these are of major significance.

Federal and State assistance for planning and establishing trails in Illinois and adjacent States is available through a number of broad outdoor recreation and urban programs. For the most part, planning assistance and financial assistance go together and are available as a package under the particular program involved. There are some exceptions, however, and these will be mentioned.

Some States have grants-in-aid programs for general outdoor recreation land acquisition and development, independent of Federal programs. In this region, Michigan, Wisconsin, and Minnesota have such programs. The other



States, including Illinois, do not, and financial assistance is available through Federal or joint Federal-State programs.

#### National Trails System Program

The National Trails System Act contains specific provisions relating to Federal assistance for the establishment of State and metropolitan area trails.

The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs, and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed to encourage States, political subdivisions, and private interests, including nonprofit organizations to establish such trails.

The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program, to encourage such recreation trails.

The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage State and local agencies and private interests to establish such trails.

### Land and Water Conservation Fund Program

The Land and Water Conservation Fund is one of the principle sources of State and Federal assistance for outdoor recreation. This Fund was authorized by the Congress in 1965 to help the States and their political subdivisions acquire and develop areas to meet public outdoor recreation needs.

STATE PLANNING REQUIREMENT: In order for a State or its political subdivision to receive acquisition or development grants from the Fund, the State must develop a comprehensive statewide outdoor recreation plan, and update and refine it on a continuing basis. In addition to serving as a guide for Federal grant assistance, the plan serves other purposes: it identifies capital investment priorities for acquiring, developing, and protecting significant outdoor recreation resources within a State, including Federal, State, local and private recreation resources; it assures a continuing and focused opportunity for local units of government and private citizens to take part in their State's outdoor recreation and environmental quality planning program; and it provides a practical tool for coordinating all outdoor recreation and environmental conservation programs.

SCOPE OF GRANTS: Assistance is provided for acquisition and development projects in highly populated urban areas as well as in rural areas. Eligible development projects may vary in type from bicycle paths to hiking trails, from roadside picnic stops to swimming pool complexes, and from inner city mini-parks to marinas. Priority consideration is generally given to

projects serving urban population and the public-at-large rather than limited groups, for basic rather than elaborate facilities, and for projects for which other Federal financing is not available. Planning grants are made to develop, refine, and update comprehensive statewide outdoor recreation plans.

**TERMS:** Grants are made on a 50-50 matching basis with the Federal share based on allowable project cost. To qualify for Fund assistance each acquisition or development project must be in accord with the State Plan -- that is, it must meet high priority public recreation needs shown in the action program portion of the plan. The participant (sponsoring State or local government agency) must agree to permanently dedicate projects to public outdoor recreation use, and assume responsibility for continuing operation and maintenance. Facility discrimination on the basis of race, color, or national origin is strictly prohibited.

**WHO MAY APPLY:** Any State or local unit of government created under authority of State law.

**FUND PROGRAM ADMINISTRATION IN STATES:** Project proposals must be submitted to the Bureau through a State Liaison Officer designated by the Governor. In Illinois, Mr. Dan Malkovich, Acting Director of the Department of Conservation, is the State Liaison Officer. For information on the State's outdoor recreation planning program and grant application procedures you

should contact his office. His address and telephone number, as well as the Land and Water Conservation Fund contacts for the adjacent States, are listed at the end of this summary.

The State of Illinois has a comprehensive statewide outdoor recreation plan and is eligible to receive Land and Water Conservation Fund grants until August 1, 1972. Before that date, the State is expected to submit an updated plan so that a new period of eligibility can be established.

The present plan indicates that, with the exception of periodic withholding of funds for maintaining the State Plan, or for acquisition and development projects, the Department of Conservation will strive to allocate 100 percent of the Land and Water Conservation Funds to local governments and potential subdivisions. The plan further indicates that under normal circumstances, local agencies will receive up to 100 percent of the fund on an annual basis, and a minimum of 80 percent over a five-year period.

Since 1966, about \$11 million has been apportioned to Illinois for planning, acquisition and development of outdoor recreation opportunities. With the State and local matching shares, this totals about \$22 million.

The Plan evaluates, by State regions, the demand for trails and projects needs until 1985. Specific trail potentials are also identified in the plan.

### State Grant Programs

State grants for trails and other outdoor recreation facilities in Illinois are made through the Land and Water Conservation Fund. Michigan, Wisconsin and Minnesota, on the other hand, have dual grants-in-aid programs. That is, grants may be made to local communities to supplement Land and Water Conservation grants or may be provided independently. In most instances, the State contacts for Land and Water Conservation Fund grants listed at the end of this summary are also the proper contacts for the State grant programs.

### State Planning and Technical Assistance

To the extent funds and manpower permit, the State outdoor recreation grants-in-aid and planning staffs provide planning and technical assistance for the development of trails. Most often, such assistance is available in connection with requests for financial assistance. Contact should be made with the individuals and agencies responsible for administration of the Land and Water Conservation Fund in the States.

In addition, varying degrees of planning and technical assistance for outdoor recreation projects is available through the extension services of the State universities. In Illinois this service is now limited to planning coordination and guidelines and directing individuals and agencies to consultants for site

planning advice. However, in Wisconsin, assistance may be obtained ranging from general planning concepts to specific site planning. A list of university extension contacts for Illinois and adjacent States is attached to this summary.

#### Department of Housing and Urban Development Programs

The Open Space and Urban Beautification and improvement programs of the Department of Housing and Urban Development have special significance in regard to urban trails.

OPEN SPACE LAND GRANTS: Grants for up to 50 percent of the cost of acquiring undeveloped and developed land suitable for permanent open-space public use are provided for central city areas by the Office of Urban Neighborhood Services and for areas outside central cities by the Land and Facilities Development Administration. Use of land for park, recreation, conservation, scenic or historic purposes is included. Further, 50 percent grants may be given for appropriate development of lands acquired under this program.

Organizations receiving grants must be established by State or local law or by interstate compact and must be empowered to receive and spend funds for the purposes of the program. Included are: States, cities, towns, counties, regional bodies and special-purpose districts for stream valley and watershed lands, park areas, and recreation areas providing facilities for hiking, picnicking, fishing, organized athletics, swimming, camping, and other outdoor recreation activities.

Grants are made only where assistance is needed for carrying out coordinated programs for the provision and development of open-space land as part of the comprehensively planned development of an area. Grants to acquire and clear built-up areas, especially in central cities, are made only if local governing bodies determine that the needs cannot be met by using undeveloped or predominately undeveloped land. Grants to develop sites acquired under the program also may be made, for up to 50 percent of the cost of basic site improvements such as roadways, sanitary facilities, and equipment. Marinas, stadiums, golf courses, ski lifts, and swimming pools are not eligible.

Families, individuals, and businesses displaced from sites acquired with open-space grants receive relocation payments to cover moving expenses and certain related costs. Relocation payments are 100 percent federally financed.

Since July 1966 Federal grants for open space in Illinois have totalled about \$11,200,000.

For additional information on this program in Illinois, contact: Department of Housing and Urban Development, Office of Metropolitan Development, 360 North Michigan Avenue, Chicago, Illinois 60601, Telephone AC 312 353-5923. The States of Ohio, Michigan, Indiana, Wisconsin, Iowa, Minnesota, Nebraska, North Dakota and South Dakota are also served by the

Chicago Regional office. Refer to the attached list for the proper HUD contact for other States.

URBAN BEAUTIFICATION AND IMPROVEMENT: Grants to help beautify publicly owned or controlled land and open spaces are provided for the central city areas by the Office of Urban Neighborhood Development for areas outside central cities by the Land and Facilities Development Administration.

The grants are available to State, county, city, park recreation, or school district units which follow overall beautification programs prepared and adopted by the general purpose government.

Grants may be used for park development such as basic water and sanitary facilities, paths and walks, landscaping, shelters and recreation equipment; upgrading and improvement of public areas such as malls, squares and waterfronts; and street improvements such as facilities for outdoor exhibits.

Grants may not exceed 50 percent of the amount by which the cost of approved urban beautification and improvement activities carried on by the applicant during a fiscal year exceeds the usual expenditures for comparable activities.

Grants covering up to 90 percent of the cost of activities may be approved for qualified demonstration projects. To be eligible, demonstration projects must contribute significantly to development and demonstration of new and improved methods and materials for use in urban beautification and



improvement activities, and have broad applicability to guide beautification programs in other communities.

Since July 1966, about \$3,100,000 has been made available to the State of Illinois for this program. A large share of this amount went to Chicago.

Refer to the list of Department of Housing and Urban Development regional offices for proper contact to obtain additional information on this program.

#### Other Federal Programs

There are a large number of Federal planning, grants and loan programs which, under special circumstances, could be important in the establishment and administration of urban trails.

For example, the Public Housing Recreation Facilities and Model Cities programs administered by the Department of Housing and Urban Development could be used in combination with the Open Space program to acquire lands and develop trails. Similarly, there might be opportunities for community administration of trails on Corps of Engineer and Soil Conservation Service impoundments located in urban areas.

To obtain further information on these and other potential sources of assistance for urban trails in Illinois and adjacent States, contact the Federal

agency which administers the program or write to: Bureau of Outdoor  
Recreation, Lake Central Region, 3853 Research Park Drive, Ann Arbor,  
Michigan 48104.

State Contacts for Planning and Financial Assistance  
Land and Water Conservation Fund Program

ILLINOIS

Mr. Dan Malkovich  
Acting Director  
Department of Conservation  
102 State Office Building  
Springfield, IL 62706  
Telephone: AC 217 525-6302

INDIANA

Mr. John R. Lloyd  
Director  
Department of Natural Resources  
603 State Office Building  
Indianapolis, IN 42609  
Telephone: AC 317 633-6344

IOWA

Mr. E. B. Speaker  
Special Projects Coordinator  
State Conservation Commission  
State Office Building  
300 Fourth Street  
Des Moines, IA 50319  
Telephone: AC 515 281-5814

KENTUCKY

Mr. Frank Groschelle  
Special Assistant to the Governor  
State Capitol Building, Room 157  
Frankfort, KY 40601  
Telephone: AC 502 564-3605

MICHIGAN

Dr. Ralph A. MacMullan  
Director  
Department of Natural Resources  
Stevens T. Mason Building  
Lansing, Michigan 48926  
Telephone: AC 517 373-1220

MINNESOTA

Mr. Jarle Leirfallom  
Commissioner  
Department of Conservation  
301 Centennial Building  
St. Paul, Minnesota 55101  
Telephone: AC 612 221-2549

MISSOURI

Mr. Robert L. Dunkeson  
Executive Secretary  
Inter-Agency Council for Outdoor  
Recreation  
1203 Jefferson Bldg., Box 564  
Jefferson City, MO 65101  
Telephone: AC 314 635-3262

OHIO

Mr. Fred E. Morr  
Director  
Department of Natural Resources  
907 Ohio Departments Building  
Columbus, OH 43215  
Telephone: AC 614 469-3770

WISCONSIN

Mr. John A. Beale  
Deputy Secretary  
Department of Natural Resources  
Box 450  
Madison, WI 53701  
Telephone: AC 608 266-2121

State Contacts for Technical Assistance and Information  
Through University Extension

ILLINOIS

Mr. Joseph Bannon  
Director  
Cooperative Extension Service  
University of Illinois  
Urbana, Illinois 61803

Community recreation development, planning coordination, and guidelines. Does not offer direct design assistance but will direct to qualified consultants.

INDIANA

Mr. James A. Peterson  
Recreation and Park Specialist  
Purdue and Indiana University  
HPER Building  
Bloomington, Indiana 47401  
Telephone: AC 317 337-4989

Information and education interpretation (minor role of planning) in-service training of personnel.

IOWA

Mr. Glen Thompson  
Recreation Extension Specialist  
Cooperative Extension Service  
33 Curtiss Hall  
Iowa State University  
Ames, Iowa 50010

Information and education interpretation, planning, coordination.

KENTUCKY

Mr. Everette Mackey  
Extension Specialist in Outdoor  
Planning  
Agricultural Experimental Station  
University of Kentucky  
Lexington, Kentucky 40506  
Telephone: AC 606 258-9000  
Ext. 2651

Information and education assistance in planning and design of small recreation facilities.  
List of consultants.

### MICHIGAN

Mr. Einer Olstrom  
Assistant Director  
Cooperative Extension Service  
Agricultural Hall  
Michigan State University  
East Lansing, Michigan 48926  
Telephone: AC 517 355-0118

Information and education.

### MINNESOTA

Dr. Ule Blank  
Extension Specialist in Recreation  
University of Minnesota  
134 T.F.C.  
St. Paul, Minnesota 55101  
Telephone: AC 612 373-1094

Consultation, information,  
education, survey research,  
planning assistance through con-  
sultants.

### MISSOURI

Mr. Karl Munson  
Associate Professor  
Recreation and Park Administration  
215 Professional Building  
University of Missouri  
Columbia, Missouri 65201  
Telephone: AC 314 449-8371

Formal and informal education  
services. Non-credit courses.  
Legislative review information.  
Planning for recreation facilities  
including for handicapped.

### OHIO

Mr. John Pierce  
Extension Specialist in Recreation  
and Community Planning  
Ohio State University  
School of Natural Resources  
124 West 17th Avenue  
Columbus, Ohio 43210  
Telephone: AC 614 293-2265

Planning community development.

WISCONSIN

Mr. James Gilligan, Director  
Center for Recreation Resources  
Development  
University Extension  
University of Wisconsin  
101 Agricultural Hall  
Madison, Wisconsin 53706  
Telephone: AC 608 262-6968

Extensive services information  
and education. Planning assis-  
tance through counties. Offer  
full service over entire range  
of recreation in the field.

Department of Housing and Urban Development  
Contact for Program Information

Department of HUD  
Office of Metropolitan Development  
26 Federal Plaza  
New York, NY 10007  
Telephone: AC 212 264-8112

Connecticut, Massachusetts,  
Maine, New Hampshire, Rhode  
Island, Vermont, New York

Department of HUD  
Office of Metropolitan Development  
Curtis Building  
Sixth and Walnut Streets  
Philadelphia, PA 19106  
Telephone: AC 215 597-2645

Pennsylvania, New Jersey,  
Delaware, Maryland, West  
Virginia, Virginia

Department of HUD  
Office of Metropolitan Development  
Peachtree and Seventh Building  
Atlanta, Georgia 31323  
Telephone: AC 404 526-3468

Kentucky, Tennessee, North  
Carolina, South Carolina,  
Florida, Georgia, Alabama,  
Mississippi

Department of HUD  
Office of Metropolitan Development  
360 North Michigan Avenue  
Chicago, IL 60601  
Telephone: AC 312 353-5923

Illinois, Indiana, Ohio, Iowa,  
Michigan, Wisconsin, Minnesota,  
North Dakota, South Dakota,  
Nebraska

Department of HUD  
Office of Metropolitan Development  
Federal Office Building  
819 Taylor Street  
Fort Worth, Texas 76102  
Telephone: AC 817 334-2737

Missouri, Arkansas, Kansas,  
Louisiana, Oklahoma, Texas,  
Colorado, New Mexico

Department of HUD  
Office of Metropolitan Development  
450 Golden Gate Avenue  
P. O. Box 36003  
San Francisco, California 94102  
Telephone: AC 415 556-5720

Washington, Idaho, Montana,  
Oregon, Wyoming, California,  
Nevada, Utah, Arizona



## BICYCLING

ROBERT M. CLECKNER,  
FIELD DIRECTOR,  
BICYCLE INSTITUTE OF AMERICA

Bike trails and bike routes are in response to the growing need for some 67 million bike riders in the country; it might safely be said that bicycling is a "pollution solution"!

Although nearly one person in seven owns a bicycle in these United States, facilities for riding the vehicle are not meeting the demand. Although classified as a vehicle, it has in truth been ignored because it does not produce revenue in its own right, either by license, maintenance, financing or operating costs.

By the establishment of bike routes and paths in recreational areas, some of these urgent needs are met. The bicycle route is also an official recognition of the right of the bicycle to share the road with other vehicles.

Bike routes are usually of two distinct types and are named according to their use. The urban bike route is essentially a transportation route established in heavily populated areas. They are pre-selected routes on streets or roads connecting home neighborhoods with recreational points of interest such as schools, libraries, ball fields and swimming pools.

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Eighty-five per cent of the bike riding public is under 14 years old according to figures quoted by the Bicycle Institute. This totals about 56 million children in the country of school age. With the establishment of bike routes for children, they learn that they have a rightful place to ride their bikes and soon adopt the responsibilities of using it properly by riding on the right side of the street and observing traffic regulations. Taught proper driving habits in school safety programs, the children use the bike routes as a training grounds. This constructive attitude at an early age prepares the future automobile driver for a traffic ridden society. Thus he is guarded against becoming an automobile casualty in his future years. Nearly one fourth million autoists were injured in 1969. Fifty-seven thousand were killed. Bike routes could help to reduce these vital statistics.

Bike routes serve as an efficient transportation substitute on short runs to the store, to friends and for errands for adults, too. Fifteen per cent of the bicycle production in 1969 were adult bicycles. This means that more than a million adult bicyclists are spinning their wheels. Last year nearly 100,000 adult bicycles were sold. Parking alone has become a major problem which is eliminated by using the bicycle. The fact is that a bike rider can accomplish his errand on short runs to the super market, or the mailbox, or the library quicker than he can with a car. By the time the autoist finds a place to park his car, the bicyclist has come and gone. Baskets mounted at the rear wheel accommodate many small parcels. The seat carrier with a hold down strap secures single items.

Many commuters ride their bicycles to the railroad station to release the family car to the lady of the house, avoid a parking fee at the station, and get a little morning exercise in the bargain.

Suburban bike routes, or transportation routes as they are often referred to, are easily surveyed with the assistance of the local police departments who are familiar with the traffic flow in the community. With their assistance traffic danger points can be avoided and alternate routes selected. Their consultation along with the local school safety pedestrian program can result in a pleasant and efficient bike route.

The cost of the route is determined by the number of bike route signs used. The cost averages out to about \$15 to \$20 per mile depending on the number of changes in the direction of the route. There are some communities who have stenciled the street with bike route signs at the curb line. These are easily made and placed. They are vandal free and have low cost.

Recreational bike routes are booming in popularity in many states. Wisconsin and Ohio each have more than 1500 miles of pre-selected bike routes running along lightly travelled county and township roads to many points of interest. These country lanes relieved of considerable automobile traffic by motorists who prefer state and interstate high speed routes, are lighter in traffic than ever before and their numbers are increasing. These slow, winding, paved country roads are ideal for delightful and tranquil bicycle rides.

Rural bike routes should stem from a state or county park where parking and toilet facilities are available. Usually the rural route is laid out in circular form so the rider can run in either direction, go out one way and return another. They should connect historical, scenic and ethnical points of interest along the way. Examples are historical markers, scenic overlooks, Roman bridges, unusual or prominent buildings. One popular bike route in Ohio lists the founder of Sloans Liniment as a point of interest.

These routes are usually sponsored by the recreation department in the area in cooperation with a civic organization. Consultation with the local county highway commissioner during the study stages of the route is a good beginning. The routes should run about 30 miles long which makes a normal day's run. Novice bike riders travel about six miles per hour and with frequent stops along the way, this distance makes a delightful day. Having the bike route start at a park gives the rider a place to park his car, get a drink and meet his friends. Routes are marked with the official bike route sign which has been approved by the Bureau of Public Roads. Costs of the signs run about \$6.00 per mile, and again can be supplemented by a stencil route marker along the edge of the road.

Bike trails are another bicycle facility. These are exclusively for the biker and the hiker to the exclusion of the automobile and the motorcycle. Frequent stiles and enforcement are the main deterrents for motorcycles. Bike

trails give the bike rider the opportunity of being entirely away from the noise, air pollution and accident threat of cars. Bikers and hikers are compatible users of the trails. Hiking paths through the woods make fine bike trails and require only nominal maintenance such as grading, and the elimination for fork traps, or severe drops in the trail.

The surface of the trail need not necessarily be asphalt or concrete. There are other surfaces that are adequate and still compatible with the natural environment of the area. The principal requirement is that the surface be hard so that the wheels of the narrow tires of the bicycle will not sink into the surface. Loose gravel, sand make it impossible to control the bike. Wood shavings are too spongy for the tires to roll through.

Natural materials from the immediate area have been used for trail surfaces. In the Cleveland area, shale from the nearby stream beds was used with good success. In Florida, pulverized sea shells have been sufficient. Wisconsin used limestone fines and made an ideal surface on an abandoned railroad. The cobblestones and ballast had to be covered with four inches of the material feathered at the edges. Even compacted clay graded and rolled makes an acceptable trail. Although the clay trails are not fit to ride the day after a rain, they are good as soon as the trail dries.

While only a three foot width is actually needed for the single bicycle rider, and five feet is adequate for riders to travel side by side, most

authorities agree that the eight foot width is the best and in fact the most economical, because the trail has to be constructed with mechanical equipment designed for road work. Graders and other road building equipment demand these widths. Servicing of the trail later by truck demands these dimensions.

Recreation authorities are being hard pressed lately to establish bike trails in their recreational areas. The boom in the popularity of bicycling is pressing as an alternate means of transportation, and the anti-pollution movement is blowing very hot. The traveling public have more free time today for outdoor recreation than they ever had in their lives and they are turning toward bicycling as a means of enjoying the countryside while really going places and seeing things.

### HORSEBACK RIDING

CORWITH HAMILL  
BOARD MEMBER,  
OPEN LANDS PROJECT

Last year there were 13 horses registered in the City of Chicago. When I was a boy, there were miles of bridle paths in Chicago - especially in Lincoln, Jackson and Washington Parks. Now they are practically all buried under 8-lane expressways. The growth and the mechanization of the city and its suburbs have continuously squeezed the horseback rider out of his haunts.

Forty years ago, the Longmeadow Hounds were kennelled at Indian Hill Club. When the development of Winnetka enveloped them, they moved a few miles west to the marshes of the Skokie Valley. Edens Expressway and the postwar building boom soon caught up with them there and they moved again, this time to an unincorporated area west of Barrington. Of course, the North Shore people who had been following the hounds all those years gradually dropped out. The Fox Valley Hunt developed in its place, but it, too, has felt the pressure of population, even in its western refuge. Row upon row of developer's houses sprang up in the heart of its territory to form the community of Meadowdale and, ironically, the Cook County Forest Preserve District purchased and closed off a large hunk of land, including the kennels themselves. Like the Indians before them, the group fled westward again and again, only to be overtaken each time by encroaching homebuilders.

I'm not trying to fight civilization or plead the case of the fox-hunters, at least not here, but I cite the foregoing as a case history with which I happen to be familiar. The same story could be told of numerous other organizations. The old Onwentsia Hunt moved to Milburn, on the Wisconsin border; Oakbrook, where the equestrian events of the Pan American Games were held in 1959, is now filled up with businesses and homes. The same thing has happened in Palos Park and elsewhere. Yet, there are more riding horses in the Chicago area than there ever were in the horse and buggy days. There are dozens of riding establishments and scores of trail riding clubs, both formal and informal. Where can their members ride?

First of all, there are the Cook County Forest preserves. As I have already indicated, not all of the Forest Preserves are open to horseback riders, but especially in Palos Park and along the DesPlaines River there are many miles of attractive, well maintained trails - 175 miles altogether. Adjacent to them are numerous stables where one can board his own horse, or rent one by the hour. There are also excellent trails in Indiana Dunes State Park. In many of the smaller forest preserves of Cook County, however, and in most of those of DuPage County, horseback riders are given a cool reception if not actually prohibited.

Farther out, one might expect that things would open up where the subdivisions have not yet replaced the corn fields and pastures. In practice, however, it doesn't work out quite that way. The country lanes have been.



paved and are crowded with traffic. Farmers never did care much for having their crops trampled on or their pasture gates left open. In a few communities like Barrington and Wayne (and formerly Oakbrook), the horse-minded suburbanites have developed extensive networks of trails, but these are not open to the general public. The landowners have granted easements only to the local riding clubs which not only maintain the trails, but also exert considerable discipline over their members. Even the Cook County Forest Preserves require that each horse be licensed, which makes it inconvenient for the occasional user. So, the question remains - where can one ride?

Fortunately, there are several constructive developments, at least for those who live nearby or who have horse trailers, as do more and more riders. Nearest at hand is the Illinois Prairie Path. As you know, this 27-mile stretch of the right-of-way of an abandoned railroad runs westward from Elmhurst to Wheaton and branches from there northwest towards Elgin and southwest toward Aurora. I say "towards" because the present Path is not open beyond the western boundary of DuPage County. The powers-that-be in Kane County are sympathetic to the idea, however, and the Prairie Path may soon extend into Kane County. Perhaps the Fox Path, now being developed along the Fox River between Elgin and Cary, will also be opened to equestrians.

One virtue of the Illinois Prairie Path is that it is easily accessible by auto. One can park a car and trailer at any of a number of crossroads,

or one can be dropped off at one former grade crossing and be picked up at another. The grade is easy and the footing solid - indeed, too solid, as the old railway ballast of coarse crushed limestone still remains in some places. Between Elmhurst and Wheaton the Path is sometimes interrupted by paved parking lots and other symptoms of suburbia, but west of Wheaton both branches run through truly rural country. From the vantage point of his saddle, the rider gets a fine view of the surrounding countryside as he rides through an interesting variety of fields, swamps and remnants of forest.

Further away from Chicago, there is a 50-mile stretch of abandoned railway running northwest from Peoria, and the towpath of the historic Illinois and Michigan Canal is passable, at least between the restored locks at Channahon and the town of Seneca.

For those who enjoy real cross-country rides, the Michigan Riding and Hiking trail offers a wonderful opportunity. This trail is 220 miles long, with 80% of it on State or Federal land. Starting on the east shore of Lake Michigan, near Frankfort, it runs eastward through Grayling to Tawas, on Lake Huron. The Michigan Trail Riders Association, which developed it, has published an excellent guide book which has not only detailed maps, but specific information about places to stay overnight, where to buy food for man and beast, and many other pertinent matters.

Less developed, but promising, is a 200-mile route across southern Illinois. Starting at the Mississippi River in Union County, it runs through Giant City State Park (climbing 1000 feet in the process) to Crab Orchard Lake, near Carbondale, and thence southeasterly to Cave-in-Rock, on the Ohio River. This trail is only faintly marked and one needs a local guide. This Illinois Ozark country is quite hilly and wild, and this will be a fascinating trail, if it is ever sufficiently cleared out and marked.

None of these riding trails just happen. They are all the result of dedicated work by enthusiasts who want them. Trail riders are not as dear to the hearts of the county and state conservation people as are the fishermen and hunters or even as those who are "improving the breed" for the pari-mutuel ovals. The citizens who want to have riding trails are going to have to maintain relentless pressure on the state and local authorities - and on many landowners - but, once these trails are established, they are certain to be used.

## CANOEING

RALPH C. FRESE  
ILLINOIS PADDLING COUNCIL

Next to foot trails, the use of Illinois' many waterways as canoe trails is probably as old as man's residence here. Illinois is blessed with some 6500 miles of waterways 20 feet wide and wider and is almost completely bordered by rivers such as the Wabash, Ohio and the mighty Mississippi, not to mention the northeast corner wetted by Lake Michigan. Many of these that have not been ruined by overdevelopment are being utilized by canoeists as natural trails. In most cases, these routes have not been officially designated as a trail, having been developed as a trail through repeated usage by groups and individuals. Many are on streams that are not legally navigable according to the laws of Illinois.

Examples of such favorites in the Chicagoland area are the Kishwaukee River, Big Indian Creek, the Mazon, the DesPlaines, the North Branch of the Chicago River, and the Little Vermillion. Even those that are legally navigable under the law offer problems of access, egress, camping spots and lunch-stop sites for most of the land along the streams is privately owned.

With an estimated population of eight to ten million people living in the metropolitan Chicago area by 1980, these waterways offer a unique natural

resource for the establishment of canoe trails provided certain provisions are made. One is the right of the citizen to use these waterways legally, another is the setting aside of simple acreage for landing sites, primitive camping, etc. One of the most important, however, is the protection, by the state or the county, of the features of the stream valley that make it inviting to explore.

Many of the trails now in use by canoeists are not runnable all year long but can be used by fishermen and others during low water months when the water is often too shallow to navigate. One prime example of this type of a stream is the Big Vermillion near Starved Rock, the finest whitewater stream in Illinois. Canoeing groups from as far away as three to four hundred miles come here to run its rapids. In addition to rapids, canoe trails may offer scenic beauty, historic values, biological or geological resources, group or family activity, hunting and fishing opportunities, but most important, they offer a tranquility and an opportunity for a very unique outdoor experience.

Thoreau so aptly said it, "Other roads do some violence to nature and bring the traveler to stare at her, but the river steals into the scenery it traverses without intrusion, silently creating it and adorning it, and is free to come and go as the zephyr."

On May 24, 1970, the 13th Annual DesPlaines River Canoe Marathon, a 25-mile race between Libertyville and Dam #2 Forest Preserve, had a record turnout of 622 craft with 1204 paddlers participating. In spite of the

large number of canoes and kayaks navigating such a small stream, they left no trace of their passing, a feat not easily accomplished by other types of trails.

The water trail concept in this area is handicapped by several factors. One is the popular idea that it is dangerous, yet it can be safely indulged in by families and groups observing common sense precautions as in other like activities. Another is the lack of equipment available. Actually, the cost of equipment is relatively small considering the fact the craft will practically last a lifetime and it can be used by all ages. More and more rental agencies are beginning to see a real potential here, making it easier for group leaders to plan local one and two day outings.

Lack of information regarding suitable local streams is another deterrent in spite of a state publication, highly inaccurate and meager, listing canoeable streams in Illinois.

Perhaps the most pressing problem is the lack of reasonable access to potential waterways and the citizens' right to navigate them. Another problem is important as the last two, and that is the need for controls to prevent excessive development of the stream environs, followed by the abatement of pollution and the development of a stream maintenance program on the most popular of water routes.

Illinois was discovered by the canoemen, explored by them, steeled by them and all trade and commerce was carried on by them for one hundred and fifty years of its history. With a heritage like this; with the population's need for this type of outdoor experiences; with the natural potential of establishing our many suitable streams as canoe trails, the task must be accomplished soon before these waterways are irreparably ruined.

## HIKING AND JOGGING

WARREN DEWALT  
CHAIRMAN  
SIERRA CLUB (GREAT LAKES CHAPTER)

We have been a bipedal species, walking on two feet rather than four, for at least fifteen million years. It is only within the last few minutes of our evolutionary history, so to speak, that we have been a riding species. Man's first vehicle was probably his own back. The use of the horse dates only from the beginning of the Neolithic Age, about 12,000 years ago. The bicycle came along over a century ago, and the automobile about 1900. We need hardly justify, therefore, our innate desire to get on our feet and move, no more than we need explain a bird flying, a fish swimming and a snake crawling.

However, by means of technology and culture, we have driven a wedge between ourselves and the natural world. We have made our lives artificial to the extent of denying our own physical nature. We take the car to visit our neighbor even when he lives only 500 feet away.

The reasons for hiking fall under two general headings: the physical reasons and the spiritual. There is a third heading -- the economic -- which we can dispense with immediately by saying that hiking is cheap. Compared with other forms of activity and diversion, it is almost as free as looking at the moon and the stars.



Doctors prescribe hiking as ideal exercise. It requires no special training, place or equipment, and although walkers are oddballs because they go against the grain of our wheel-and-chair society, they are not considered quite as peculiar as dumb-bell lifters or joggers (adult joggers always seem embarrassed when you pass them on the street). Also, walking has in it a strong element of addiction: it gets in your blood, and you don't give it up easily. Other forms of exercise are touched with fadism, and the faithful usually are a tiny minority.

Our need for exercise is almost a national emergency. Our muscle, heart and blood vessel systems are built for constant use. Evolution equipped us for the hunt and not the armchair. By the time the average American male is 25 years old, his circulatory and muscle systems are those of a middle-aged man. Why, for example, do we suffer twice the number of heart attacks that inflict the average Irishman? Why do Masai tribesmen escape heart attacks almost completely? The answer is not diet only. The Irishman is on par with us in terms of cholesterol intake, and the Masai warrior gets enough cholesterol in his daily blood-milk cocktail to make us flee in panic. The answer is that they exercise the body as it was engineered by evolution to be used, and we don't.

There is a physical side to hiking that strongly appeals to most outdoor people. The feeling of power and physical joy that one gets out of

the kinetics of walking -- the raw sense of experiencing and overcoming terrain -- of moving up and down and across the earth.

This leads appropriately to the spiritual aspects of hiking. Our mechanical contrivances have separated us from the countryside. Walking at three miles per hour restores our humanity. It gives us a sense of proportion. It brings the environment back to human scale. It also gives us a sense of freedom and equality. When we hike, we escape from friends, neighbors, our wives, business pressure, the telephone, etc. We also escape protocol: on the trail there is no hard and fast social procedure, and no social hierarchy. At the risk of being rash and unscientific, it might be maintained that hikers are on the "better side" of the human spectrum. As John Burrows, the American naturalist, has reminded us, "the devil never asked anyone to take a walk with him".

On the level of the super-spiritual, hiking offers us the chance to enter into the fascinating world that Zen Buddhists call the "no-mind". In other words, we go out to think about nothing -- and in doing so, we become totally receptive, appreciating the little esthetic things like a cloud shadow crossing a hillside, or a dragonfly mating in midair. According to Thoreau, we thus "succeed to the highest and worthiest ends by the abandonment of all specific ends". Or as the novelist, Nabokov, put it, we "gain a sense of oneness with sun and stone".

The Sierra Club places great importance on another reason for hiking -- it helps people to become conservationists. John Muir knew this 75 years ago when he led the first Sierra Club outing into the Yosemite Valley. It is easier to build a sense of wonder and perception of the natural world from the trailside than in the lecture hall.

It is necessary to achieve a certain level of competence in order to enjoy hiking. It requires an ability to move about effortlessly, and the achievement of the higher spiritual values demands freedom from tension and fatigue. The beginner usually has no qualms about hiking: the necessary skills, he feels, were acquired by the age of two. To a large extent, this is true, but the extent to which it isn't true is extremely important in the art of hiking. The principles are not many, but they are worth noting: For the unconditioned and uninitiated, hiking should be short and easy. Give your muscles a chance to strengthen and your feet to toughen. Conditioning first of all involves a knowledge of your own tolerance -- don't stray too far ahead of it. But push yourself a little each time beyond this tolerance, and keep it up, progressively overloading and raising the level. In a couple of months of moderate walking, say 30 extra minutes a day, a man can increase his output or efficiency by at least 50 per cent. If you plan to hike in a true wilderness area, such conditioning is mandatory.

Engineers would describe walking as a successive loss and recovery of balance. For some people, this accurately describes their gait -- as

stumbling along, about to fall on their face with each step. An efficient walker, however, moves with harmony, balance and rhythm with the momentum of each stride smoothly carried over into the next. Above all, the effective walker lengthens his stride. A longer stride takes less work for the muscles and puts less weight on the feet. Swinging the hips a little more helps to lengthen stride, as does pointing the feet straight ahead. A slight flexing of the knees helps cushion the stride, especially on the downgrade. But keep the feet reasonably low, skimming the ground. Leave the goose step to the German military.

On the art of walking, Colin Fletcher, the man who walked the length of the Grand Canyon, had this to say:

"your body should always be poised and relaxed so that you put down your feet, whatever their size, and whatever their load, with something close to daintiness."

A common mistake of beginning hikers is to walk too fast, which means at a pace that cannot be maintained without fatigue. A person can walk only as fast as his legs or lungs will allow. A serious complaint from either requires a slowdown. About 2-1/2 MPH is a fair pace on average terrain. When climbing, add an extra hour for each 1000 ft. of altitude gained.

Another common mistake of beginners is to take too many breaks or rest periods. Frequent and irregular halts are in the long run tiring. Sackout

rests are limited to lunch-time. The "collapse rest", or one where the body flops down and remains inert, should occur only at the tag end of a long, strenuous haul.

How far should we hike? Some hikers claim that miles are meaningless, that it is hours that count. Certainly a beginning hike should be no more than 5 miles. Remember that a mile in the country is not the same as a city mile of 20 blocks; that a mile in sand is worth two on firm ground, and that a mile of bushwacking through brush is worth 5 miles on the trail.

Equipment for hiking comprises a very short list. This list is dominated by the philosophy of "going sturdy" and "going light". Since 80 per cent of Americans suffer from foot disabilities by the time they become adults, it is essential that the right shoes be worn. On the average, this means a 6 inch boot, with rubber, vibram-gripper soles and a good arch. An 8 inch boot helps in rain and snow, but anything beyond this is a romantic regression to the early days of organized hiking when everyone wore boots up to their knees and carried 3 foot sticks. High boots unduly restrict calf muscles. Boots should be roomy enough to permit the toes to wiggle. And they should be laced as tight as is comfortable, especially when going down long descents.

The main physical problem of hiking tends to be blisters. Heat is the cause of all blisters, either from a "rucked" sock or a ill-fitting boot. If you feel a blister forming, work on it immediately, applying a piece of moleskin.

Being a hero is being a bloody fool, for blisters are easier to prevent than cure. They require 5 days to heal. Toe blisters frequently occur on the downhill stretch of a hike, when the foot is jammed into the shoe with each step. Toe blisters are even tougher to handle than heel blisters. To avoid blisters, two pairs of socks are recommended: a thin inner pair to reduce friction and a thicker outer pair to absorb perspiration.

Almost any kind of sensible clothes are suitable for hiking. The layer system should be followed: several light layers of clothing rather than one heavy one, which permits peeling off to maintain body comfort. A strenuous pace generates 6 times as much heat as sitting still. Rain gear is a matter of taste. A waterproof raincoat sometimes forces you to stew in your own juices, while fresh, clean rain, soaked into the clothing, can let you get close to nature.

Cold weather hiking is a separate art in itself. Generally speaking, the extremities are the critical areas --- hands, feet and head. If these are kept warm, the rest of the body stays comfortable even with relatively light clothing. Remember, that the head and neck lose 25-30 percent of the body's heat. A hatless man on a bitter cold day is a fool.

Planning a group hike is an uncomplicated affair: pick the spot, set a date, get your people, and go. There are, however, a couple of principles that should be considered:

1. Keep the group small. A battalion of people invariably causes a strung-out condition that works on the leaders' nerves and destroys any sense of communion.
2. Mix kids and adults very cautiously.
3. Avoid people who constantly chatter. Appreciation and enjoyment on the trail are directly proportional to an economy of words prevailing.
4. Don't regiment --- people like to be free.
5. Observe trail etiquette. Leave the man ahead room enough so that he does not feel pressed.

An important consideration for hikers is the problem of trespass. When you are confronted with a sign "Trespassers will be prosecuted", respect the situation, but don't be intimidated if an emergency is involved. Landowners must prove damage, and if trivial, recovery is extremely difficult. The sign "Private Road" is no proof that this is not a public right-of-way as far as foot passengers are concerned. When in doubt, seek permission. A good strategy is to send the women to request passage --- it almost always works.

### YEAR ROUND PROGRAMMING

GUNNAR A. PETERSON,  
EXECUTIVE DIRECTOR,  
OPEN LANDS PROJECT

Any trail system developed within a park system, on an abandoned railroad or other rights-of-way along river banks and within forest preserve systems should include provision for year-round use.

Year-round programming on the trails is limited only by the imagination and planning done by the individual or the trail leader to stimulate and take time to look, listen, smell, taste, touch and investigate. Following are some possible activities in season:

Wild flower study

Ski touring

Snow shoeing

Map construction or drawings

Compass work (on entering)

Consideration of first aid techniques in all seasons

Snow sculpture

Erosion problems

Weather observations

Cloud study

Winter cooking techniques



Soil sampling  
Bird study  
Placing bird houses  
Nesting patterns  
Snow flakes sketching and photography  
Camping techniques in all seasons  
Geological study  
Earth science  
Supper cook-outs  
Dawn patrol  
Breakfast hikes  
Trail markings and games  
Treasure hunts  
Plant study, count and identification  
Construction work  
Nature exhibits  
Bulletin boards  
Trail markers  
Restoration planting  
Sun dials  
Night hikes  
Star study  
Nature crafts

Plaster casts of tracks

Plant and leaf prints

Campcraft

While everyone is quick to recognize the spring, summer and autumn for all kinds of activities geared to nature study, recreation, special activities, there is an increasing desire for people to utilize these facilities in the winter time.

All activities that are possible on a trail in the warmer seasons can also be included in the winter. Winter trips, special activities with regard to nature study, cook-outs, even overnights are possible when the temperature drops and there is snow on the ground. Special precautions need to be taken for safety and an awareness of the hazards need to be considered by leadership of groups in winter activities. Photography, snow patterns, shrub, tree and plant identification, map and compass work, bird study, weather observations are all potential winter activities, as well as hiking in the snow, touring on ski, and riding.

Concern has been expressed over the increased use of snowmobiles and the demands on natural areas that are being made by the owners or renters of such vehicles. Because of the speed, noise and general environmental disturbances of the snowmobiles and because they are a motorized vehicle, it seems advisable to bar them from the utilization of trails that are set up for the more contemplative user who is seeking an undisturbed, quiet environment.

Special provision will undoubtedly need to be made for specified areas for snowmobiles to restrict them to locations where they will prove least disruptive. The growing evidence of the problem of snowmobiles reaching into the undisturbed winter scene, the safety aspects and security controls are important features that must be considered. The increasing popularity of these motorized vehicles poses the same problem to peace and quiet that the outboard motor poses to the use of our lakes and streams.

## APPENDIX A

### SAMPLE FORM

THIS INDENTURE, made and entered into this       day of       , 1969 by and between COMMONWEALTH EDISON COMPANY, an Illinois Corporation (hereinafter referred to as "Lessor") and       , a Municipal Corporation (hereinafter referred to as "Lessee");

#### WITNESSETH:

Lessor, for and in consideration of the rent hereinafter reserved and of the covenants, conditions and agreements of Lessee hereinafter contained, has demised and leased and by these presents does demise and lease unto Lessee, for the development of and use as a recreational area and playground, and for no other purpose or purposes whatsoever, that portion of Lessor's property shown outlined in red on the plat attached hereto marked Exhibit "A" dated       , and made a part hereof (hereinafter referred to as the "demised premises").

TO HAVE AND TO HOLD the demised premises for and during the term of five years commencing on the First day of       , 1970 and expiring on the day of       unless sooner terminated as hereinafter provided.

FIRST: Lessee hereby agrees to pay as rent for the demised premises the sum of       per year, the first rental payment to be made on the First day of       , 1970, and the remaining rental payments to be made one each on the First day of each and every succeeding       thereafter during the term hereof. Each and all of said payments of rent to be made by Lessee to Lessor under the terms of this lease shall be paid to Lessor at 72 West Adams Street, Chicago, Illinois 60690 or at such other place as Lessor may from time-to-time designate in writing.

SECOND: Lessee has examined the demised premises and knows the condition thereof and no representations as to the condition and repair thereof and no agreements to make any alterations, repairs or improvements in or about the demised premises have been made by Lessor. Lessor shall not be liable for any damages arising from acts or neglect of Lessee or the occupants of or anyone using the demised premises or of the public.

THIRD: Lessee will not use the demised premises for any purpose or purposes other than hereinbefore specified and will not sublet the demised premises nor any part thereof, nor assign this lease and will not permit any transfer by operation of law of the interest in the demised premises acquired through this lease.

FOURTH: Lessee will not install, erect or construct, or permit to be installed, erected or constructed, any improvements upon or make any alterations to the demised premises without the prior written consent of Lessor. Lessee shall not place or maintain or allow to be placed or maintained by any person or persons, any signs or advertising billboards upon the demised premises at any time during the term hereof, except as required by Paragraph Fifteenth hereof. However, Lessee shall have the right to install such small, neat and inoffensive signs as are necessary to identify Lessee's occupancy of the demised premises, provided such signs are approved by Lessor before erection or installation.

FIFTH: Lessee shall have the right and privilege at its sole cost and expense, to grade, level and plant grass seed on the demised premises but shall not in any manner alter or change the original ground grade level of the demised premises and shall not plant any trees or shrubs thereon at any time during the term hereof. Lessee hereby agrees if any trees or shrubs are now located on the demised premises they shall not be permitted to attain a height in excess of 10 feet from original ground level. In the event said maximum height is exceeded, Lessor reserves the right to trim said trees and shrubs and Lessee agrees to reimburse Lessor for any and all such expense upon presentation of a bill therefor.

SIXTH: Lessee hereby agrees that Lessor has made no representations that the demised premises are property zoned for the proposed use by Lessee, and it is expressly understood that Lessee hereby assumes any and all obligations and responsibilities with respect to the of zoning laws and ordinances and other regulatory bodies which may have jurisdiction thereover in this area. This lease is not conditioned on Lessee obtaining necessary zoning or use permits or authority for the proposed use by Lessee. Any permits required hereunder shall be acquired by Lessee, at its sole cost and expense. Lessee hereby understands and agrees that Lessor does not grant Lessee the right or authority by the terms of this lease at any time to have the demised premises rezoned for the use hereinbefore stated.

SEVENTH: Lessee hereby covenants and agrees it will not suffer or permit any mechanic's lien or other such lien to attach to the demised premises by reason of any improvements upon or alterations to the demised premises or work done thereon by or upon the order of Lessee and will save and keep harmless Lessor and the demised premises from any such lien or claim therefor and from any and all cost or expense incurred in connection with any such lien or claim.

EIGHTH: Lessee hereby agrees that in the event Lessee or anyone other than Lessor's employees, using the demised premises, damages any pole, fencing or any other facilities or equipment of Lessor at any time during the term hereof, Lessee will promptly reimburse Lessor for any and all expense incurred for the repairing of such damage upon presentation of a bill therefor.

NINTH: Lessee hereby agrees to save harmless and indemnify Lessor against all loss, liability, damage and expense, including attorneys' fees incurred by Lessor on account of any injury to or death of any person or persons whomsoever or on account of damage to property sustained by any person or persons whomsoever caused by, connected with or arising directly or indirectly, wholly or in part from any use or operation of the demised premises resulting in any manner from the privileges herein given, the failure of Lessee, or any unlawful use of the demised premises.

In addition to and not in limitation of the foregoing, Lessee covenants and agrees, prior to the occupancy of the demised premises and at Lessee's sole cost and expense, to furnish to and in Lessor's name at all times during the term of this lease, an Owners, Landlords and Tenants Liability Insurance Policy in the amounts of \$500,000.00 and \$1,000,000.00 for injury to any person or persons, and \$100,000.00 for damage to property covering the ownership and use of the demised premises. Such insurance shall be modifiable or cancellable only on written notice delivered by registered mail to Lessor not less than 10 days in advance of modification or cancellation. Said policy shall be issued by a good and responsible insurance company and in a form acceptable to Lessor.

TENTH: Lessee covenants and agrees that no alcoholic liquors or beverages are to be permitted to be used or consumed on the demised premises and Lessee hereby covenants and agrees it will save and keep harmless Lessor and the demised premises and each and every part thereof from all damages, claims, fines, penalties, costs and expenses whatsoever which may result to Lessor or to the demised premises under the provisions of that certain statute of the State of Illinois, entitled "An Act Relating to Alcoholic Liquors," approved and effective January 31, 1934 as amended.

ELEVENTH: Lessee hereby agrees, at its sole cost and expense, to protect Lessor's facilities and equipment, and install suitable barricades or fencing all to the satisfaction of Lessor's representative and will maintain same in a first-class condition and appearance at all times. Lessee will submit to Lessor any and all plans and specifications for the installation of barricades, fencing or any other equipment which may be installed on the demised premises and such installations shall not be made without the consent and prior written approval of Lessor.

TWELFTH: Lessee hereby agrees, upon the termination of this lease by forfeiture, lapse of time or otherwise, if so requested in writing by Lessor, to promptly remove, at its sole cost and expense, any and all personal equipment installed on the demised premises by Lessee and to restore the demised premises to a condition satisfactory to Lessor. In the event Lessee can not, is unable or unwilling to remove its personal equipment and so restore the demised premises, Lessee hereby authorizes Lessor so to do, and Lessee hereby agrees to reimburse Lessor for any and all expense incurred in connection therewith upon presentation of a bill therefor, and Lessee hereby agrees to save harmless and indemnify Lessor from all liability of any kind whatsoever that Lessor may have incurred by such removal.

THIRTEENTH: Lessee hereby agrees, in addition to the monthly rental payments provided herein, to promptly reimburse Lessor for any and all of the real estate taxes or any other local, state or federal taxes that may be assessed on the demised premises for any and all improvements made by Lessee on the demised premises within 30 days after presentation to Lessee of Lessor's statement.

FOURTEENTH: In the event default is made in the payment of the rent herein reserved or any part thereof or in any of the covenants and agreements herein contained to be kept by Lessee or if Lessee shall violate or breach any of the terms, conditions or provisions of this lease, or if Lessee shall vacate or abandon the demised premises during the life of this lease, or if Lessor should receive notice of an alleged violation of any municipal or zoning ordinances concerning Lessee's use of the demised premises, it shall be lawful for Lessor at any time thereafter at its election, without notice or demand, to declare said term ended and to re-enter the demised premises either with or without process of law and to expel, remove and put out Lessee or any person or persons occupying the demised premises, using such force as may be necessary so to do and to repossess and enjoy the demised premises again as before this demise without prejudice to any remedies which might otherwise be used for arrears of rent or preceding breach of covenants; Lessee hereby expressly waiving all right to any notice or demand under any statute relating to forcible entry and detainer. The decision of Lessor shall be final and binding upon Lessee concerning any breach or default in the covenants and agreements contained in this lease.

FIFTEENTH: Due to the presence of Lessor's electrical facilities located on the demised premises, Lessee hereby agrees that no vehicles will be parked, used, driven or stored on the demised premises having a height in excess of 15 feet from original ground grade level. Lessee further agrees to prohibit any activities on the demised premises such as flying kites or model airplanes or the transportation or movement of anything more than 15 feet from original ground grade level. Lessee in complying with this condition agrees to post, maintain, and if necessary, replace metal signs which expressly prohibit all such activities.



SIXTEENTH: The rights of the Lessor to utilize the demised premises in its utility business will, at all times, be and remain paramount to the rights herein granted to Lessee by Lessor and nothing stated herein is to be construed as restricting Lessor from granting rights to other parties or persons in, upon or under the demised premises. Without limiting the generality of the foregoing, the parties specifically refer to sewers, water pipes and mains, drainage tiles and pipes, gas mains and pipelines and other allied uses.

SEVENTEENTH: This lease shall not in any manner, or to any extent, limit or restrict the right of Lessor to use or dispose of the demised premises as Lessor in its discretion may desire, and particularly, but not in limitation of the foregoing, Lessor, at all times, shall have free and unrestricted access for its employees, agents, representatives, assigns or grantees to come upon the demised premises either by vehicle or on foot, for the purpose of constructing, installing, operating, maintaining, repairing, replacing or patrolling any or all of its facilities and equipment located thereon or any and all of its additional and future facilities and equipment which will be located thereon. Lessor shall not be liable to any extent for any damage to Lessee's property or any improvements which Lessee may make or install on the demised premises that may be occasioned as a result of entry by Lessor's employees, agents, representatives, assigns or grantees or resulting from the construction, installation, operation, maintenance, repairing, replacing or patrolling of any or all of its facilities and equipment located or to be located on the demised premises.

EIGHTEENTH: This lease may be terminated at any time by either party hereto by mailing 60 days' prior written notice to the other party of such termination. The mailing of such notice in accordance with the provisions of Paragraph Eighteenth hereof shall be deemed to be sufficient service thereof.

NINETEENTH: This lease is subject to an easement dated

TWENTIETH: All notices to Lessor shall be sent by registered or certified mail addressed to Commonwealth Edison Company, Real Estate Department, 72 West Adams Street, Chicago, Illinois 60690 or at such other place as Lessor may from time-to-time designate in writing. All notices to Lessee shall be sent by registered mail addressed to Lessee at \_\_\_\_\_, Illinois, or at such other place as Lessee may from time-to-time designate in writing.

TWENTY-FIRST: The covenants and agreements herein contained shall enure to the benefit of and be binding upon the parties hereto, except as otherwise provided in Paragraph Third hereof, their respective successors and assigns.



IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals all as of the day and year first above written.

COMMONWEALTH EDISON COMPANY

By \_\_\_\_\_  
Vice-President

ATTEST:

\_\_\_\_\_  
Secretary

Lessor

\_\_\_\_\_  
By \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

Lessee

## APPENDIX B

### AGREEMENT

THIS AGREEMENT made this            day of            , 1966, by and between the COUNTY OF DU PAGE, a body politic and corporate of Illinois (herein called "County"), and THE ILLINOIS PRAIRIE PATH, an Illinois not-for-profit corporation (herein called "Path"):

#### WITNESSETH THAT:

In consideration of the covenants and agreements herein contained, the parties hereto agree as follows:

1. The County hereby sets aparts and grants to the Path for establishment, construction, maintenance, and operation thereof of a prairie path and for such other purposes as are incident to the development, maintenance of and conduct of a prairie path, the following described property:

- a. All of that property described in a certain quit claim deed dated July 21, 1965 and recorded as Doc R-65-26607 wherein the C.A.&E. was grantor and the County grantee, said property being otherwise described as the former right of way of the C.A.&E.
- b. It is expressly agreed by and between the parties hereto that the County may use any or all of said property, or that the County may lease any or all of said property to any municipality providing said use or lease provides for a 10 feet strip for the use of the Path.
- c. It is expressly understood that the County is still in the process of perfecting its title to certain portions of the property described in subparagraph (a), supra, and that when and as any right, title or interest in said property described above as the former right of way of the C.A.&E. is acquired by the County, such right, title, and interest will, without further act or agreement, become subject to the terms of this agreement.

2. This agreement shall terminate on the same date that the lease agreement the County now has with the City of Wheaton terminates, said lease being dated January 28, 1966 and said lease providing for the leasing of portions of the subject property to the City for parking. The County will give considera-

tion to any request of the Path for an extension or renewal of the term of this agreement at the expiration thereof but is under no obligation to grant the same.

3. The corporate purposes of the Path are:

To preserve and aid in the preservation of all types of wild nature, including natural areas, features, objects, flora and fauna, and biotic communities for the benefit of the public: to establish footpaths, trails and other protected areas to be used for scientific, educational, esthetic and recreational purposes by the public; to promote the conservation and proper use of our natural resources and to engage in and promote the study of plant and animal communities and of other phases of ecology, natural history, and conservation for the people; and to promote education in the fields of nature preservation and conservation for the public.

In furtherance of the foregoing purposes, to purchase, take, receive, lease as lessee, take by gift, devise or bequest, or otherwise acquire, and to own, hold, use, and otherwise deal in and with any real or personal property of any interest therein situated in or out of this State; and to sell, convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of its property and assets.

The land subject to this agreement shall be used by the Path in furtherance of said purposes and for no other purposes. The Board of Supervisors of the County and their agents shall have at all times access to the ground, buildings, and other enclosures on said prairie path for general police inspection and for all other lawful purposes.

4. In the establishment, construction, maintenance and operation of said prairie path, the Path, and such persons or organization as it may designate, shall have the right to remove or plant such shrubs, flowers and all manner of growing plants and undergrowth as it deems necessary to accomplish the purposes of this agreement, provided that the planting of trees is approved in writing by the County. Further, to invite members of the public and the members of the Path to enter upon and use said prairie path for the above-specified purposes, including but not limiting the generality thereof to hiking, horseback riding, and bicycling. The Path shall also have the right to construct such buildings or other temporary and permanent structures on said land as it may deem necessary or desirable in accomplishing its purposes. All structures which may be constructed on the land subject to this agreement shall be removed by the Path at the termination of this agreement, or pursuant to paragraph 1(b) of this agreement.

5. The Path accepts said lands subject to the rights of any persons, firm or corporation to construct, operate and maintain any public utility facility above or beneath the surface of said lands whether or not the document granting such right is recorded.

6. The Path agrees to indemnify and hold harmless the County against loss, damage, or injury from any act or omission of the Path, its agents or employees, to the person or property of any person while on or about the premises covered by this lease. The Path further agrees that if in any case the release and indemnity herein provided for shall not be valid, the County shall, in such case, have the full benefit of any insurance effected by the Path upon the property and against the hazard involved, and the path agrees that any and all such insurance shall be so written that the insurer shall have no claim or recourse of any kind whatsoever against the County in connection therewith.

7. The Path agrees to obtain, at its own cost and expense and to keep in full force and effect during the term of this lease, public liability and property damage insurance in the amounts of \$100,000.00 for bodily injury or death to any one person, \$300,000.00 for two or more persons, and \$10,000.00 property damage in any one occurrence, said insurance to run in favor of the Path and to be endorsed to assume the contractual obligations of the County, as set forth in this agreement. A duplicate copy of such policy or policies of insurance shall be furnished to the County, and nothing in this section shall in any way be construed to limit the liability of the Path hereunder.

8. It is further agreed between the parties hereto that if the Path shall breach or make default in any conditions or covenants of this agreement, it shall be lawful for the County then, or at any time thereafter, to declare this agreement ended and to re-enter said premises using any reasonable or necessary force for regaining possession. And it is further agreed and provided that any waiver at any time of a breach of any condition or covenant of this agreement shall extend only to the particular breach so waived, and shall in no manner impair or affect the existence of such condition, covenant, or agreement or the right of the County thereafter to avail itself of the same or any subsequent breach thereof.

9. The benefits and obligations of this agreement shall extend to and bind the successors or assigns of the parties hereto; but no interest in this agreement shall be assigned; nor shall the Path allow or permit any lien of any kind to be imposed upon said premises without the written consent of the County first obtained.

10. The Path herewith acknowledges the easement rights of the COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY, ILLINOIS BELL TELEPHONE COMPANY, and DU PAGE COUNTY HIGHWAY DEPARTMENT and the Path agrees not to use any part of said right of way without first receiving the approval of the COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY, ILLINOIS BELL TELEPHONE COMPANY, and the DU PAGE COUNTY HIGHWAY DEPARTMENT.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and their respective seals to be affixed thereto on the day and year first above written.

THE COUNTY OF DU PAGE, a body  
politic and corporate

Attest: \_\_\_\_\_  
County Clerk                      Chairman, Board of Supervisors (SEAL)

THE ILLINOIS PRAIRIE PATH (SEAL)

Attest: \_\_\_\_\_ By: \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED that the County herewith enters into said agreement and the Chairman is hereby authorized and directed to sign said agreement and a copy thereof and the County Clerk is authorized and directed to attest thereto, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Board of Supervisors and to the Highway Department

APPROVED AS TO FORM AND RIGHT:

\_\_\_\_\_  
Assistant State's Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: \_\_\_\_\_  
County Clerk

Date: \_\_\_\_\_

## APPENDIX C

### SAMPLE EASEMENT AGREEMENT

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 1968 by and between the VILLAGE OF WINNETKA, a body politic incorporate of Illinois (herein called "Village") and THE COMMITTEE FOR THE GREEN BAY TRAIL, an ILLINOIS not-for-profit corporation (herein called "Committee"):

WITNESSETH THAT:

In consideration of the covenants and agreements herein contained, the parties agree as follows:

1. The Village hereby sets apart and grants an easement to the Committee for the establishment, construction, maintenance and operation of a trail for walking and bicycle riding over land owned by the Village and described as follows:

Beginning at the intersection of the Southern corporate limits of the Village and the former right-of-way of the Chicago and North Shore Railroad and extending northerly along said former right-of-way to a point approximately 725 north of Tower Road at which point Village-owned property abuts the Hubbard Woods Station Grounds of the Chicago, North Western Railway.

It is understood that certain lands near the Winnetka (Elm Street) Station of the Chicago, North Western Railway, apparently a part of the former North Shore right-of-way are not owned by the Village. It is further understood that the Trail presently contemplates the use of lands generally lying north of the intersection with Willow Road and that utilization of such a portion of the right-of-way shall be considered adequate compliance with the intent of this agreement, especially as to requirements outlined in paragraph number 3.

2. The easement above described shall be a minimum of eight (8) feet in width, the precise location of which shall be subject to designation by the Village Council from time to time as the Council may deem necessary, within the boundaries of the former railroad right-of-way. Where feasible, the Council may designate additional lands for use of the Trail. In the event that the Village requires a relocation of any portion of the Trail once established, the Village hereby agrees to bear the expenses associated with such relocation.

3. This agreement shall be effective for a period of five years after its execution by both parties, and may be renewed, altered or extended as mutually agreed to by the parties. This agreement may be terminated earlier if either party fails to meet and fulfill its obligations herein described. The Trail agrees to begin construction of the walking path or fencing hereafter required within a period of eighteen months after the execution of this agreement, and further agrees to complete rection of the fencing within a period of 24 months after the execution of this agreement. In the event these actions are not undertaken and completed, this agreement shall be void.

4. The Village agrees to take such steps as are necessary to prohibit motor vehicle traffic over those portions of the former right-of-way devoted to use for the walking trail, excepting from said prohibition only those municipal vehicles or vehicles of agents of the Trail necessary for construction on or maintenance of the property.

5. The Village retains all rights to use any portion of the right-of-way for any municipal purpose deemed necessary by the Village Council. The Council agrees that only those municipal improvements necessary for the public good will be located on the former right-of-way and that preservation of a maximum amount of open space consistent with the needs of the community is a desirable goal. The Village specifically notes that construction of municipal parking lots are contemplated at or near Winnetka and Hubbard Woods station grounds together with the necessary access roads and further notes that construction of an electrical substation at or near the intersection with Pine Street is possible in the future.

6. The Village permits the Committee to remove or plant such trees, shrubs, flowers, and other growing plants as it deems necessary in the development of this Trail anywhere on the former right-of-way, provided, however, that any such removal or planting is approved by the Village. The Village may consult with its Architecture and Environment Board concerning the suitability of proposed changes and shall not withhold permission except where the proposed changes are inconsistent with the overall plans for the development of the former right-of-way.

7. The Committee shall insure that a fence is erected spearating Village property and that of the Chicago and North Western Railway at or near their joint property line. The fence shall be of a size and design acceptable to the Village Council and may connect with existing fences where practical. This fence must be erected prior to the opening of the trail to the public.



8. The Committee agrees to indemnify and hold harmless the Village against loss, damage, or injury from any act or omission of the Committee, its agents or employees, to the person or property of any person while on or about the premises covered by this agreement.

9. The Committee agrees to obtain and to keep in full force and effect during the term of this agreement public liability and property damage insurance in the amounts of \$100,000 for bodily injury or death to any one person, \$300,000 for two or more persons and \$10,000 property damage in any one occurrence, said insurance to run in favor of the Committee and to be ordered to assume the contractual obligations of the Village as set forth in this agreement. A duplicate of this insurance policy shall be filed with the Village Manager, and nothing in this agreement shall in any way be construed to limit the liability of the Committee hereunder.

10. The Village assumes no liability for the construction or maintenance of the trail, said responsibilities being accepted by the Committee which may, in turn, subject to approval by the Village secure the assistance of other groups, clubs, interested citizens or agencies in developing and maintaining the trail or lands adjacent thereto.

11. The Village agrees to cooperate with the Committee in efforts to obtain an easement for trail purposes over property owned by the Chicago and North Western Railroad at those places where the old North Shore right-of-way utilized station grounds of the North Western.

12. The Committee acknowledges all existing easement rights of public utilities and agrees to do nothing to impair those rights.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and their respective seals to be affixed thereto on the day and year first above written.

VILLAGE OF WINNETKA

By \_\_\_\_\_

THE COMMITTEE FOR THE GREEN BAY TRAIL

By \_\_\_\_\_



## APPENDIX D

### BIBLIOGRAPHY ON LEGAL ASPECTS OF URBAN TRAILS

#### Danziger, Burton

"Control of Urban Sprawl or Securing Open Space: Regulation by Condemnation or by Ordinance?," CALIFORNIA LAW REVIEW, vol. L (Aug. 1962), pp. 483-499.

A comment on the legal aspects of Whyte's monograph, SECURING OPEN SPACE FOR URBAN AMERICA. It evaluates the legality and utility of conservation easements as opposed to an expanded use of the police powers.

#### Fields, June

METHODS OF PRESERVING OPEN SPACE. San Mateo, Calif.: San Mateo County Planning Commission, 1959. 8 pages (mimeo).

A terse summary of the methods a county or city can use to preserve open space. Methods covered include acquisition, development rights, tax concessions, and zoning.

#### Harvard Law Review

"Techniques for Preserving Open Spaces," HARVARD LAW REVIEW, vol. LXXV, No. 8 (June 1962), pp. 1622-44.

A well-documented review of various legal measures and actions taken by public bodies to preserve open spaces. Included is a short section concerning tax methods for conserving open space.

#### Krasnowiecki, Jan Z., and James C. N. Paul

"The Preservation of Open Space in Metropolitan Areas," UNIVERSITY OF PENNSYLVANIA LAW REVIEW, vol. CX, No. 2 (Dec. 1961), pp. 179-239.

A legal method is proposed for preserving open spaces. Taxation and other schemes of preserving open space provide the background for the proposed legislation.

Krasnowiecki, Jan, and Ann Louise Strong

"Compensable Regulations for Open Space - A Means of Controlling Urban Growth," JOURNAL OF THE AMERICAN INSTITUTE OF PLANNERS, vol. XXIX, No. 2 (May 1963), pp. 87-101.

The authors present a plan under which owners of property on which development is restricted will be compensated for the difference between the postrestriction sales price and the preresstriction assessment of the property at the time of sale rather than, as in the case of development easements, at the time the restrictions are enacted. Commentary by Stephen Lefkowitz, William F. Lipman, and Robert E. Coughlin is included.

Strong, Ann Louise

PRESERVING URBAN OPEN SPACE. Washington: Urban Renewal Administration, Housing and Home Finance Agency, 1963. 36 pages.

Discusses the need for open space and methods of obtaining it by local State, Federal and private organizations. Various approaches including tax policies are presented.

Whyte, William H.

OPEN-SPACE ACTION (ORRRC Study Report 15.) Washington: Government Printing Office, 1962. 119 pages.

Presents a history of state and federal legislation for open space preservation; evaluates past accomplishments in the field; and makes specific proposals for future action. The extensive appendices contain detailed specimen federal and state legislation, some voting data on proposals, specific information on easements, and case studies of community plans.

Whyte, William H., Jr.

SECURING OPEN SPACE FOR URBAN AMERICA: CONSERVATION EASEMENTS. (Technical Bulletin 36.) Washington: Urban Land Institute, 1959. 66 pages.

Discusses the use of eminent domain and zoning as tools for developing open space and considers the alternative methods of financing the acquisition of open space.

Williams, Norman

LAND ACQUISITION FOR OUTDOOR RECREATION - ANALYSIS OF SELECTED LEGAL PROGRAMS. (ORRRC Study Report 16.) Washington: Government Printing Office, 1962. 67 pages.

A footnoted discussion and analysis of the legal implications of acquiring land for recreation purposes and open space. Discusses federal acquisition extensively. Includes a thorough discussion on easements, their legal basis, and problems in their acquisition.

Government Consulting Service

THE PRESERVATION OF OPEN SPACE IN SUBURBAN MUNICIPALITIES. Philadelphia: Fels Institute of Local and State Government, 1959. 9 pages.

A planning memorandum for a Philadelphia suburban township (Tredyffrin Township, Pa.) suggesting different categories of open space and possible measures to preserve open spaces in the township.

Miller, John J. B.

OPEN LAND IN METROPOLITAN CHICAGO. Chicago: The Midwest Open Land Association, 1962. 152 pages.

Discusses the need for open space in the Chicago metropolitan area, relative to needs at earlier periods and to other American metropolitan areas. In addition, there is a complete inventory of open space by county and township with descriptions, sizes, and number of parcels.

Dunham, Allison

PRESERVATION OF OPEN SPACE AREAS. Published by Welfare Council of Metropolitan Chicago, 123 W. Madison Street, Chicago, Illinois 60602.

A study of the non-governmental role.

Findley, Roger W.

OPEN SPACE AND THE LAW. Published by Institute of Governmental Studies, University of California.

Explanation of governmental tools available for open space preservation, i. e., flood plain regulations, green-belt zoning, zoning for aesthetics.

Brenneman, Russell L.

PRIVATE APPROACH TO THE PRESERVATION OF OPEN LAND.  
Published by the Conservation and Research Foundation.

An analysis of the different means of acquiring interests  
in open space land with examples of appropriate legal  
documents.

VERMONT SCENERY PRESERVATION. Published by State of  
Vermont Central Planning Office. 118 State Street, Montpelier,  
Vermont, 05602.

Emphasis on the view from highways, strong, specific  
recommendations for legislation and enforcement.  
Approaches and methods could be useful elsewhere.

## APPENDIX E

### NATIONAL TRAILS SYSTEM ACT

PUBLIC LAW 90-543  
90TH CONGRESS, S. 827  
OCTOBER 2, 1968

#### STATEMENT OF POLICY

SEC. 2. (a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within established scenic areas more remotely located.

(b) the purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation and scenic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

#### NOTES ON THE ACT

The national system of trails shall be composed of national recreation trails, national scenic trails and connecting or side trails. These are to be established and designated by the Secretary of the Interior or the Secretary of Agriculture with the consent of the agency or political subdivision which has control over the lands involved.

The Act provides for studies to determine feasibility and desirability, the utilization of condemnation to establish them and their designation. States and local governments, private interests and non-profit organizations are encouraged to establish such trails. States especially are encouraged to consider needs for trails on state lands, park lands, especially in the urban areas.

The Secretary of Housing and Urban Development is directed to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is also directed to encourage recreation trails in administering the Urban Open Space Program under Title VII of the Housing Act of 1961. [A copy of the Act can be secured by writing your local Congressman].

## APPENDIX F

### SELECTED "TRAILS" REFERENCES

Bike Trails and Facilities--A Guide to Their Design, Construction and Operation. May 1965. American Institute of Park Executives, Inc., Executive Offices, Oglebay Park, Wheeling, West Virginia 26003.

General Plan--Regional Parks, Shoreline Development, Riding and Hiking Trails. April 1965. Ventura County Planning Commission, 52 N. California Street, Ventura, California 93001.

Hiking and Riding Trails. 1965. Maricopa County Parks and Recreation Department, 4701 E. Washington Street, Phoenix, Arizona 85034.

Major Equestrian and Hiking Trails Planning Study. 1968. Public Facilities Task Force of the Master Plan Advisory Board, Los Angeles City Planning Department, Room 561, City Hall, Los Angeles, California 90012.

Constance Stallings, "Rights of Way," Open Space Action 1:15 (May-June 1969).

Trail Planning and Layout--Kinds of Trails, Design, Construction, Features, Educational Use. 1965. The National Audubon Society, Nature Centers Division, 1130 Fifth Avenue, New York, New York 10028. Price \$2.50.

Trails for America. December 1966. Bureau of Outdoor Recreation, Department of the Interior. (For sale by the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.) Price \$2.25.

APPENDIX G

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